

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67207 of 2021

Arising Out of PS. Case No.-281 Year-2021 Thana- NOORSARAI District- Nalanda

Sunit Mishra Son Of - Harendra Mishra Resident Of Village - Pariauna, P.S.-
Noorsaray, District - Nalanda, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 24-02-2022 The applicant has claimed out of turn hearing on
account of hospitalization of his mother.

The applicant is accused in Crime No. 281 of 2021 registered with Noorsarai Police Station for the offence punishable under Section 392 of the Indian Penal Code. By this application he is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

The investigation of the subject crime is over. The charge sheet has been filed. According to the prosecution case, first informant Shailendra Kumar was proceeding on his motorcycle carrying cash of rupees forty thousand in the dicky



thereof. On the way; he was accosted by three riders of the motorcycle and by pointing a fire-arm at him, he was relieved of the cash as well as the cellphone.

Name of the applicant has surfaced on record on the basis of confessional statement of the co-accused. One cellphone is shown to have been recovered from him. From co-accused Golu Kumar, one cellphone is recovered. It is reported that the first informant was not asked to identify the cellphone which came to be seized from the applicant as well as that from co-accused Golu Kumar.

The applicant is stated to be not subjected to the Test Identification Parade. The investigation of the crime is complete. Hence, I see no reason to refuse bail to the applicant and, therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 281 of 2021 registered with Noorsarai Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

U		T	
---	--	---	--

