

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68736 of 2021**

Arising Out of PS. Case No.-703 Year-2021 Thana- LAKHISARAI District- Lakhisarai

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MIHIR KUMAR @ MIHIR KUMAR MISHRA Son of Gita Nath Mishra
Resident of Village Makal Taley, P.S. Uttarpara, District - Hugli (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivam

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 17.10.2021, seeks
regular bail in connection with Lakhisarai (Kabaiya) P.S. Case
No. 703 of 2021 dated 16.10.2021 registered for offences
punishable under Sections 379 and 461 of the Indian Penal
Code.

Allegation is of theft of Rs. 16 lacs from the locker of
Instakart Service Pvt. Ltd.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has been implicated in the present case



on the basis of confessional statement of one co-accused Sujit Kumar from whose possession, the entire amount, which was stolen has been recovered. No incriminating article has been recovered from the possession of the petitioner or from his house. Petitioner has clean antecedent and he is in custody since 17.10.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, taking into consideration the period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 703 of 2021 dated 16.10.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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