

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1128 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- SIKARPUR District- West Champaran

NATHUNI KUMAR MISHRA @ DIPU MISHRA Son of Shambhu Nath
Mishra Resident of Village- Hardiya, Ward No.20, Narkatiyaganj, Police
Station- Shikarpur, District- West Chamapran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha, Advocate
For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 457 and 380 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.05.2021, charge-sheet has been
submitted in the case and has antecedent of six cases.

The informant alleges that on 05.01.2021, at about
5:00 pm, he along with his family members returned to his
house and then they saw some unknown thieves had entered the
house after breaking the lock and looted gold and silver
ornaments and cash Rs. 50,000/- along with other documents as
detailed in the F.I.R.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, his name transpired in the confessional statement of co-accused, no incriminating article has been recovered from his possession to connect him with the offence and the police falsely implicated the petitioner based on his antecedents.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 29.05.2021, charge-sheet has been submitted in the case, no incriminating article was recovered from his possession and his name transpired in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 13 of 2021 with a condition that one of the bailors of the petitioner shall be his father, Shambhu Nath Mishra.

(Satyavrat Verma, J)

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