

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18096 of 2023

Arising Out of PS. Case No.-247 Year-2020 Thana- TEGHRHA District- Begusarai

VIKKI MISHRA @ BABA @ VICKY MISHRA SON OF LATE LAKHAN
MISHRA @ LAKHO MISHRA R/O VILLAGE- RAMDIRI LOKA SINGH
TOLA, P.S.- MATIHANI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-03-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Teghra PS case no. 247 of 2020, registered under Section 395 of the Indian Penal Code, inasmuch as the earlier petition filed by the petitioner for grant of regular bail was permitted to be withdrawn vide order dated 28.02.2022, passed in Cr. Misc. no. 5107 of 2022 with liberty to the petitioner to renew his prayer for bail after framing of charge by the learned court below.

The allegation, in brief, is that unknown miscreants are stated to have entered the shop of the informant, variously



armed and had engaged in firing in the shop, whereafter they had looted jewellery from the said shop and had fled away on their motorcycles.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 10.11.2020. It is further submitted that neither test identification parade has been conducted nor any looted articles have been recovered from the possession of the petitioner and he has been falsely implicated in the present case merely on account of his bad criminal antecedent. It is also submitted that charges have already been framed against the petitioner, by the learned trial court, by an order dated 31.08.2022.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that charges have already stood framed, no recovery of looted articles has been made from the possession of the petitioner and moreover, no test identification parade has been held so as to connect the petitioner with the alleged occurrence, I deem it fit and



appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-IX, Begusarai in connection with Teghra PS case no. 247 of 2020.

(Mohit Kumar Shah, J)

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