

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31103 of 2022

Arising Out of PS. Case No.-29 Year-2009 Thana- LAXMIPUR District- Jamui

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Tantan Mishra S/o Parmanand Mishra Resident of Village-Karnpur, P.O.-
Kala, P.S.-Laxmipur, District-Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in the virtual court

proceeding.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 395, 397 of the Indian Penal
Code.

According to prosecution case, the informant along
with Hari Yadav and Etwari Yadav reached near Thari Mod
where a scuffle took place between the informant and six
accused persons. The accused persons intercepted and assaulted
them and snatched money from their pockets and tide them with



tree near the forest area.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that in fact, the petitioner is not named in the F.I.R. and his name was transpired during supervision report. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.03.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 19 criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Laxmipur P.S. Case No. 29 of 2009, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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