

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36164 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- AGAMKUAN District- Patna

ANKIT MISHRA @ RAJ @ ANKIT KUMAR MISHRA Son of Govind Lal Mishra @ Govind Mishra Resident of village - Karmuan, P.S. - Sugauli, Distt. - East Champaran, at present C/o Bimlesh Sinha, near Biscoman Golambar besides Oxygen Hospital, P.S. - Alamganj, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Agamkuan P.S. Case No. 242 of 2023 registered for the offences punishable under Sections 399, 402, 414 I.P.C. and under Section 25(1-b)a, 26, 35 of the Arms Act and under Section 37 of the Bihar Prohibition and Excise Act.

As per prosecution case, petitioner is apprehended in drunken condition.

Learned counsel for the petitioner submits that petitioner is in custody since 10.03.2023. Petitioner bears two criminal antecedents. Learned counsel further submits that the petitioner is innocent and has falsely been implicated in the



present case. Nothing has been recovered from the conscious possession of the petitioner. No fire arm has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, argument advanced on behalf of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Court of Excise, Patna City in connection with Agamkuan P.S. Case No. 242 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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