

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49909 of 2023

Arising Out of PS. Case No.-199 Year-2023 Thana- SUPAUL District- Supaul

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MIHIR KUMAR MISHRA @ APURBA @ MIHIR SON OF DHANANJAY
KUMAR MISHRA @ DHANANJAY (BADAL) @ DHANANJAY MISHRA
R/O-MALHAD, WARD NO. 15, P.S.-SUPAUL, DISTT.-SUPAUL (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard Mr. Krishna Prasad Singh, learned counsel for
the petitioner and learned APP for the State.

The petitioner is in judicial custody in connection with Supaul P.S. Case No. 199 of 2023 registered under Sections 306 and 120(B) of the Indian Penal Code lodged on 17.03.2023 by the informant, Mahant Satyanand.

As per the prosecution story, the informant's father committed suicide and it is alleged that in the suicidal note, he has named this petitioner.

It is the case of the learned Senior counsel that although admittedly, he committed suicide incorporated the name of the petitioner, no role/reason has been attributed that the petitioner is responsible for the suicide, only his name



stands inscribed.

Learned APP for the State opposes the prayer for bail stating that his name has come in the suicidal note.

Considering the submission put forward by the learned Senior counsel for the petitioner that no reason/role of the petitioner has been assigned in the suicidal note, he has remained in custody since 18.03.2023 (as stated in paragraph-14 of the petition) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 199 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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