

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52744 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Rajesh Mishra Son Of Naval Kishor Mishra Resident Of Village Latbasepur
Ps Musarigharari District Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 364, 365, 385 of the Indian Penal Code and later on Sections 302/201 of the Indian Penal Code was also added.

The prosecution case in nutshell is that informant received a call on his mobile from mobile number of his brother for demand of extortion money of Rs. 2,75,000/- otherwise kidney of his brother would be sold or he would be killed.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner was not named in F.I.R and his name sprang up in the present case on the confessional statement of co-accused Kishan Kumar Jha @ Kishan Jha, before the police, which has no evidentiary value in the eye of law. Nothing incriminating has been recovered from the possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 25.2.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Anurag Jha, has been granted Bail vide order dated 09.01.2023, passed in Cr. Misc. No. 41934 of 2022 by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Musrigharari P.S. Case No. 29 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Samastipur.

(Sunil Kumar Panwar, J)

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