

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52756 of 2023

Arising Out of PS. Case No.-225 Year-2021 Thana- BAHERI District- Darbhanga

SUSHANT MISHRA @ CHHOTU S/O PRAMOD MISHRA @ PRAMOD
KUMAR MISHR R/O VILLAGE- KERAI, PS. BIBHUTIPUR, DIST.
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is an accused in connection with Baheri P.S. Case No. 225 of 2021 registered for the offences under sections 395 and 397 of the Indian Penal Code and section 27 of the Arms Act lodged on 05.11.2021 by the informant, Rajkumar Sah.

As per the prosecution story, the accused barged into the informant's jewellery shop after pointing pistol to his daughter/staffs and looted ornaments worth Rs. 27 lakhs. Accordingly, the FIR.

It is the case of the petitioner that though he is in custody since 22.05.2023 (as stated in paragraph 1 of the bail application), no T.I. Parade has been conducted.



Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedent.

Considering the fact that he is in custody since 22.05.2023, no T.I. Parade conducted, this Court is inclined to extend him privilege of bail but only after framing of the charges.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. VII, Darbhanga in connection with Baheri P.S. Case No. 225 of 2021, 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 *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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of trial 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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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