

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55429 of 2023

Arising Out of PS. Case No.-97 Year-2014 Thana- BELHAR District- Banka

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Tantan Mishra @ Tribhuwan Mishra Son Of Parmanand Mishra Resident Of
Village - Karnpur, P.O. - Kala, P.S. - Laxmipur, District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case
instituted for the offence under Sections 302, 201/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, six miscreants on a
Scorpio vehicle came to outside the house of the informant
call the informant's brother. When his brother came out,
they sat him down in the vehicle and on next morning his
dead body was found.

It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in this
case. No one is the eye witness of the alleged occurrence.



Only on the basis of suspicion, the name of the petitioner dragged in the present case. Name of the petitioner came on the basis of information given by spy. This case relates to the year 2014. Petitioner was lying in District Jail Jamui for six years and he has been remanded in this case from another case on 15.5.2023. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Petitioner is languishing in judicial custody since 15.5.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. As per postmortem report, doctor opined cause of death due to fire arm injury. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction



of the learned CJM, Banka in connection with Belhar P.S.
Case No. 97 of 2014.

(Sunil Kumar Panwar, J)

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