

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61019 of 2023**

Arising Out of PS. Case No.-62 Year-2023 Thana- BENIPATTI District- Madhubani

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MOHAN MISHRA @ DHIRAJ MISHRA SON OF TEZ NARAYAN
MISHRA VILL UTTARVARI TOLA, PALI, PS- BENIPATTI, DIST-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Akshay Lal Pandit

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 342, 323, 307,
386, 504, 506, 379 and 34 of the Indian Penal Code and Section
37 of the Bihar Prohibition and Excise Act.

3. As per FIR, when the informant was going to his
house then the petitioner under intoxication, along with three
other persons stopped his motorcycle, kidnapped him on the
point of gun and took him away in the forest and demanded Rs.
50,000/- and in case of non-payment threatened to kill him.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner never consumes wine and he was not involved in any planning to commit crime. The policy has falsely implicated the petitioner as the injury sustained to the informant has been found simple in nature and there is rival contention between both the parties. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 24.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with Benipatti P.S. Case No. 62 of 2023.

(Sunil Kumar Panwar, J)

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