

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57960 of 2022

Arising Out of PS. Case No.-345 Year-2022 Thana- DHAKA District- East Champaran

Satendra Mishra S/o Late Narmadeshwar Mishra Resident of village-
Karmawa, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 452, 341, 323, 324, 326, 307,
380, 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused
persons including the petitioner came to the informant's house
and started searching to one Vijay Mishra. Accused person
namely Tarun Mishra fired upon the informant's father and his
father got injured and thereafter all the accused persons fled
away.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it appears



from the F.I.R. that there is direct allegation of firing is attributed against co-accused Tarun Mishra and there is no allegation of any assault or overt act attributed to the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Dhaka P.S. Case No. 345 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any



stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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