

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78815 of 2023

Arising Out of PS. Case No.-85 Year-2014 Thana- JAMOBABAZAR District- Siwan

SITU MISHRA Son of Mani Nath Mishra Resident of village - Sisai, Police
Station - Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 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 25(1-b)A, 26 and 35 of
the Arms Act.

3. As per prosecution case, there has been recovery of
incriminating article from the possession of co-accused persons.

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 was not apprehended on spot.
The name of the petitioner has come into light, on the basis of
confessional statement of co-accused persons, who apprehended
on spot. The petitioner has no concern with the alleged
occurrence. No incriminating article has been recovered from



the conscious possession of the petitioner. On the basis of suspicion and due to his criminal antecedents, petitioner has been falsely implicated in the present case. Petitioner has remanded in this case on 15.07.2023 and since then he is languishing in judicial custody.

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 the period of custody, this court is inclined to enlarge the petitioner on bail after framing of charge, if not framed. 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 C.J.M.-IV, Siwan in connection with Jamobazar P.S. Case No. 85 of 2014.

(Sunil Kumar Panwar, J)

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