

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13635 of 2024

Arising Out of PS. Case No.-177 Year-2021 Thana- KATEYA District- Gopalganj

MUNNA MISHRA @ DILIP KUMAR MISHRA @ MANOJ MISHRA Son
of Late Laxmi Kant Mishra Resident of Village-Panan Mahuawa, P.S.-Kateya,
District-Gopalganj (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 28-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
S. Tr. No. 657 of 2023 arising out of Kateya P.S. Case No. 177
of 2021 lodged under Sections 386, 387, 302 and 120(B)/34 of
the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against six named accused persons including the present
petitioner. In the FIR the informant has disclosed that he has
heard gun shot from 50 metre from the place of occurrence and
when he turned he seen the present petitioner having AK-47 in
his hand who fled away on motorcycle. Immediately the
informant reached at the place of occurrence and found his



brother died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely been implicated in this case. He submits that allegation of demand of ransom is against Alkeshwer Mishra. There is nothing against this petitioner. There is no eye-witness to the occurrence. The petitioner has antecedent of 20 cases which has been mentioned in para 3 of the bail application. He submits that the petitioner is in custody since 30.07.2024.

5. Learned counsel for the State opposes the prayer for bail who submits that from the contents of the FIR it would crystal clear that it is the petitioner who has committed the said occurrence because the chain of story link the petitioner with the occurrence.

6. In the facts and circumstances, the Court is not inclined to grant bail to the petitioner.

7. Hence the bail application is rejected.

(Dr. Anshuman, J)

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