

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15464 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- RAJAPAKAR District- Vaishali

Ravi Shankar Mishra @ Pandit, Gender-Male, aged about 25 years, Son of
Suresh Mishra @ Suresh Kumar Mishra, Resident of village - Majhauri, P.S. -
Bidupur, District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Session
Trial No. 478 of 2023 arising out of Raja Pakar PS Case No. 77
of 2023 instituted for the offences punishable under Section 395
of the Indian Penal Code.

3. As per the prosecution case, five unknown
miscreants on two motorcycle came and demanded money from
the Nojal man on the point of pistol, looted away Rs. 6,000/-
-7,000/- and fled away through the Motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of
suspicion. He next submits that the petitioner is not named in



the FIR and his name surfaced on the basis of confessional statement of co-accused Hemant Kumar. Petitioner was neither arrested on the spot nor any incriminating articles have been recovered from the conscious possession of the petitioner. He next submits that the petitioner has not put on Test Identification Parade. Petitioner is in custody since 17.03.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II, Vaishali at Hajipur dated 05.01.2024, it appears that petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused Hemant Kumar. Similarly situated co-accused Raja Kumar has already been granted bail by the learned trial Court as stated in para 11 of the petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-II, Vaishali at Hajipur in Sessions Trial No. 478 of 2023, arising out of Raja Pakar P.S. Case No. 77 of 2023, subject to the condition that the petitioner shall appear on each and every date before the trial Court. In absence



of two consecutive dates of the petitioner before the trial Court
without any cogent reason, the trial Court shall have the liberty
to cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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