

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18650 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- MANJHAGARH District- Gopalganj

DHANANJYA MISHRA, son of Late Lalan Mishra, resident of village-
Tarwa, Police Station- Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Tiwari, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Manjhagarh P.S. Case No.49 of 2023 instituted for the offences under Sections 399, 402, 414, 120(B) of the IPC and 25(1-b)a,26,35 of the Arms Act.

3. Prosecution case, in short, is that informant received secret information that 7-8 accused persons on three motorcycles were assembled armed with weapons for committing any big occurrence near Chimani of Laxman Prasad. When police team reached there then all accused persons fled away but five out of them were caught along with the motorcycles. On interrogation, apprehended persons disclosed their name and after search one loaded pistol, mobile set were recovered from the possession of Dhananjay Mishra.



Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Further submits that from the possession of the petitioner one loaded pistol, two live cartridges, one mobile and one motorcycle were recovered from the possession of the petitioner, but the recovered motorcycle does not belong to the petitioner. Petitioner is in custody since 19.02.2023 and has ten antecedents in which either he has been acquitted or granted bail.

5. Learned APP for the State has vehemently opposes the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of court below/concerned court in connection with Manjhagarh P.S. Case No.49 of 2023 with following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.



(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Prakash Narayan

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