

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60505 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- SINGHWARA District- Darbhanga

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Ankit Kumar Mishra, S/o Awadhesh Mishra, R/o Village- Kachhua, P.S.- Jale,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 27-09-2024 Heard Mr. Ugranath Mallik, learned Advocate for the

petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Singhwara P.S. Case No. 150 of 2024
registered for the offence punishable under Section 394 of the
Indian Penal Code.

3. Allegedly while the informant was going on his
motorcycle along with his co-worker, in the meantime, he was
intercepted by three miscreants, who were riding on a Pulsar
motorcycle. The miscreants assaulted the informant and his co-
worker by the butt of the pistol and took away his motorcycle
and valuables.

4. Learned Advocate for the petitioner contended that
the F.I.R. has been instituted against unknown miscreants.



However, during the course of investigation, the name of the petitioner has sprung up on the confessional statement of co-accused persons and thereafter the police raided the house of the petitioner and in course of search one motorcycle has been recovered. It is further contended that the motorcycle, which has been recovered from the house of the petitioner, is not the subject matter of crime, moreover neither the petitioner nor the and have been put on Test Identification Parade; and the petitioner is in custody since 14.06.2024. It is further contended that other co-accused person, having identical allegation, has been allowed the privilege of bail in Cr. Mic. No. 62368 of 2024 vide order dated 04.09.2024. While concluding the submission, learned Advocate for the petitioner contended that during the pendency of the present application, now the petitioner has been remanded in one another case, bearing Singhwara P.S. Case No. 55 of 2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that during the course of investigation various materials have come suggesting the complicity of the petitioner in the present crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case



is based against the petitioner on the basis of confessional statement and the motorcycle, in question, is not the subject matter of the crime, coupled with the fact that co-accused person, having identical allegation, has been allowed the privilege of bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Singhwara P.S. Case No. 150 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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