

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62067 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Chhotu Mishra S/o Rajendra Mishra R/o Village- Sokraha Barauni, P.S.-
Phulwariya, District- Begusarai Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
: Mr. Raju Kumar, Adv
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Naugachia P.S. Case No. 151 of 2024 dated 03.05.2024 registered for the offences punishable u/s 399, 402 of the I.P.C. and Section 25(1-b)a/ 26, 35 of the Arms Act.

3. As per the prosecution case, one mobile phone was recovered from the possession of the petitioner while he along with other co-accused persons was making preparation to commit dacoity.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Petitioner is a Hawker and the said recovered mobile phone belongs to the petitioner. Nothing incriminating article



has been recovered from the conscious possession of the petitioner. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 03.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Naugachia P.S. Case No. 151 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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