

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84509 of 2024

Arising Out of PS. Case No.-123 Year-2023 Thana- PUPRI District- Sitamarhi

Raja Mishra Son of Late Ramesh Mishra Resident of Village - Daudpur, P.S. -
Daudpur, District -Chapra, at present resident of Bakhara, P.S. - Saraiya,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 06-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.80 of 2024 (arising out of Pupri P.S. Case no.123 of 2023) registered under sections 399, 402 and 120B of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received about the accused persons planning to give effect to an occurrence, it is stated that a raid was conducted and three accused persons including the petitioner herein were caught. On search, a country made pistol was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that contrary to the allegations, no incriminating article has been recovered from the petitioner's possession who has been falsely



implicated in the case because of his antecedent. The two co-accused Manish Mishra and Akshay Mishra have been enlarged on bail vide order dated 16.10.2023 passed in Cr. Misc. no.66455 of 2023. The petitioner is in custody since 26.3.2023 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, his having remained in custody for more than 1 year 8 months since 26.3.2023, grant of bail to the other FIR named co-accused vide aforesaid order dated 16.10.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.80 of 2024 (arising out of Pupri P.S. Case no.123 of 2023) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 8th Additional Sessions Judge, Sitamarhi.

(Partha Sarthy, J)

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