

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9161 of 2024

In
CRIMINAL MISCELLANEOUS No.52756 of 2023

Arising Out of PS. Case No.-225 Year-2021 Thana- BAHERI District- Darbhanga

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Sushant Mishra @ Chhotu S/o Pramod Mishra @ Pramod Kumar Mishr R/O
VILLAGE- KERAI, PS. BIBHUTIPUR, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-02-2024 Heard Mr. Alok Kumar Alok, learned Counsel for

the petitioner and learned APP for the State.

2. The Cr. Misc. No. 52756 of 2023 was allowed on
21.08.2023 and considering the fact that the petitioner has
criminal antecedent, it was observed that he shall be released
only after framing of the charges.

3. Now, the modification petition has been filed
stating that till date the charges have not been framed and as
such, the said part be modified and he be released on bail.

4. Learned APP has pointed out that he has criminal
antecedent inasmuch as he has been named accused in Baheri
P.S. Case No. 04 of 2022 under sections 399 and 402 of the
Indian Penal Code and sections 25(1-B)a, 26 and 35 of the Arms



Act

5. This case has also been registered under sections 395 and 397 of the Indian Penal Code and section 27 of the Arms Act. The allegation against the petitioner is that he alongwith other accused persons barged into the jewellery shop and on gun point, looted 27 lakhs and before leaving the CCTV wire was disconnected.

6. In the aforesaid circumstances, there is no question of any modification of the order passed on 21.08.2023 in Cr. Misc. No. 52756 of 2023.

7. The modification petition vide Cr. Misc. No. 9161 of 2024 stands rejected.

(Rajiv Roy, J)

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