

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3687 of 2025

Arising Out of PS. Case No.-15 Year-2014 Thana- SHERGHATI District- Gaya

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Santosh Mishra @ Satish Mishra @ Saish Mishra S/o Shivpujan Mishra R/o
Village- RAmbigha Tola Churihara, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 15 of 2014, instituted for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, three loaded country made pistol along with five live cartridges have been recovered from the house of co-accused Munna Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons. No recovery of arms has been made from the possession of this petitioner. The petitioner has suo motu surrendered before the Court below on 19.09.2024 and has got no criminal antecedent.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sherghati P.S. Case No. 15 of 2014.

(Rudra Prakash Mishra, J)

Rajorshi/-

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