

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12939 of 2025

Arising Out of PS. Case No.-476 Year-2023 Thana- SAHPUR District- Bhojpur

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Lala Mishra @ Mahesh Kumar Mishra Son of Vijay Mishra @ Vijay Kumar Mishra Resident of Village- Ramdatahi, P.S.- Shahpur (Karnamepur), OP, Distt.- Bhojpur, Bihar-802112

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2025 Heard Mr. Piyush Kumar Pandey, learned counsel

for the petitioner and Mr. Bhanu Pratap Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shahpur P.S. Case No. 476 of 2023, F.I.R. dated 12.10.2023 for the offences punishable under Sections 379 and 511 of the Indian Penal Code.

3. According to prosecution case, co-accused, Om Narayan Pandey was trying to stole motorcycle but was arrested by the police personnel and he has disclosed the name of the petitioner and other accused persons who are also involved in the said crime.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused, namey, Om Narayan Pandey and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Shahpur P.S. Case No. 476 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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