

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25855 of 2025

Arising Out of PS. Case No.-229 Year-2024 Thana- CHANDAUTI District- Gaya

Mayank Kumar Mishra S/o Dinanath Mishra R/o Village- Bhaluahi
Kharkhura, P.S.- Delha in the District of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
	:	Mr. Aditya Kumar Pandey, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-04-2025 Heard Mr. Sunil Kumar, learned counsel for the
petitioner and Mr. Jitendra Kumar Singh, learned APP for the
State.

2. The petitioner is in custody in connection with
Chandauti P.S. Case No. 229 of 2024 for the offence punishable
under sections 329 of the Indian Penal Code, lodged on
15.06.2024 by the informant, Asharfi Kumar.

3. As per the prosecution story, the informant alleged
that the accused person booked Tata Indigo for a fare of
Rs.3,000/-. Under bonafide belief he started journey along with
them from Patna to Gaya. In between, fuel worth Rs.1,200/- was
also filled but after mid-night, he was taken out, tied to a tree
with hands, feet and mouth choked with clothes. He was also



beaten before they took away the vehicle. It was only after an elderly man came that he got free and thereafter the F.I.R.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 24.07.2024 (paragraph no.4 of the petition) if granted bail, he shall be diligently appearing in trial and failure to do so even for a day, his bail bond may be canceled. Further, he shall not indulge in any criminal activity and appearing before the concerned Police Station every fortnight for next one year. Further, without accepting the allegation or the outcome of the present case, the petitioner wants to contribute Rs.10,000/- to the informant Asharfi Kumar by Demand Draft issued by the local State Bank of India Branch submitted before the Trial Court.

5. Learned APP opposes the prayer for bail submitting that his role has come and he has also criminal antecedent.

6. Considering the aforesaid facts, though the petitioner has criminal antecedent, in that background, his bail application was rejected earlier, he has remained in custody since 24.07.2024 and an undertaking has been given that he shall be diligently appearing in trial and appearing before the concerned Police Station every fortnight failing which the State shall be free to take steps for cancellation of his bail bonds, in



that background, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- by Demand Draft in the informant's name (Asharfi Kumar) issued by the local State Bank of India branch to submitted before the Trial Court and after checking credentials to be handed over to the informant.

7. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Gaya, in connection with Chandauti P.S. Case No. 229 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

