

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19439 of 2015

Arising Out of PS.Case No. -226 Year- 2014 Thana -BHOREY District- GOPALGANJ

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1. Dadan Mishra son of Late Srikant Mishra
 2. Ramdhyan Mishra son of Late Vyash Mishra
 3. Sunil Mishra son of Late Vyash Mishra
 4. Rahul Mishra, son of Ramdhyan Mishra
 5. Nitesh Mishra son of Birendra Mishra
- All resident of village- Dighwa, P.S.- Bhore, District- Gopalganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ghulam Rabbani
For the Opposite Party : Mr. Surendra Pd.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-06-2015 Heard Mr. Ghulam Rabbani, learned counsel for
petitioners and learned Addl. Public Prosecutor.

Five petitioners, apprehending their arrest in Bhorey
P.S. Case No. 226 of 2014 registered for the offence under
Sections 147, 148, 341, 323, 325, 307, 379 & 504 of the Indian
Penal Code, have prayed for grant of bail.

Learned counsel for petitioners submits that in land
dispute, occurrence had taken place, in which, F.I.Rs. were lodged
from both the sides, almost on similar accusation. He further
submits that even in the F.I.R. lodged against petitioners,
accusation has been made that accused persons have used sticks.

Moreover, in the F.I.R., there is no specific allegation against any of the petitioners. Only general and omnibus allegation has been levelled. He has referred to **Annexure – 2** to the petition i.e. an F.I.R., which has been lodged from the petitioners' side, vide Bhorey P.S. Case No. 227 of 2014, on the same date i.e. 28-11-2014.

Keeping in view the fact that there was case and counter case as well as accusation, which is in the nature of general and omnibus, let the petitioners, namely; Dadan Mishra, Ramdhyan Mishra, Sunil Mishra, Rahul Mishra and Nitesh Mishra be enlarged on bail in the event of their arrest or surrender before the court below within a period of one month from today on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Mishra, J.M. Ist Class, Gopalganj in connection with Bhorey P.S. Case No. 226 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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