

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42515 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -SIKRAUL District- BUXAR

1. Ashok Mishra @ Ashok Kumar Mishra

2. Amod Kumar Mishra

3. Anand Mishra @ Anand Kumar Mishra

All S/o Late Kashi Nath Mishra, Resident of Village -Belaon, P.S.- Sikraul
(Lock), District- Buxar. Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mrs. Veena Rani Pd., APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Sikraul P.S. Case No. 56/15 registered under Sections 147,
148, 149, 160 of the Indian Penal Code & Section 27 of the
Arms Act.

The prosecution is based on the self-recorded
statement of S.H.O. of Sikraul Police Station dated 24.07.2015
at 4:00 p.m. in which he has alleged that on 24.07.2015 at about
3:30 p.m. he received information from Choukidar Rajendra
Prasad Singh that in village Belaon on account of land dispute,
two factions were engaged in firing and counter-firing.

It is contended that the petitioners are quite innocent and have committed no offence. All the offences, except Section 27 of the Arms Act, are bailable in nature. No arms were recovered from any of the petitioners and the petitioners are well-educated persons and have got roots in the society. It is further contended that if the petitioners are granted privilege of bail under Section 438 Cr. P.C., they are not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Sikraul P.S. Case No. 56/15 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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