

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9608 of 2016

Arising Out of PS.Case No. -1348 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

- =====
1. Nitesh Mishra @ Nitesh Kumar Mishra, son of Kamlesh Mishra.
 2. Navneet Mishra @ Navneet Kumar Mishra, Son of Kamalesh Mishra.
- Both resident of village - Patiyan, Police Station - Sasaram (Muffasil),
District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-04-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Sasaram (Muffasil) P.S. Case No.1348 of 2015 registered under
Sections 341, 323, 325, 307 and 379/34 of the Indian Penal Code.

The accusation is that when the informant alongwith one
Laleshwar Singh reached the Petrol Pump to take the diesel, at that
time, five persons named in the F.I.R. including the petitioners,
were present there. Thereafter, the co-accused Kamlesh Mishra
asked the others to kill, then all of them surrounded the informant
and, thereafter, the petitioners caused injury to the informant with
iron rod on his head and the co-accused Kamlesh Mishra also

caused fracture injury in his hands with lathi. At that time, co-accused Amit Singh caused injury on the face of the informant through the butt of the pistol and the co-accused Bade Mishra snatched Rs.10000/- from the pocket of the informant.

Learned counsel appearing on behalf of the petitioners submits that both the petitioners are sons of the co-accused Kamlesh Mishra and the brother of the co-accused Bade Mishra and they have falsely been implicated in this case due to land dispute, as detailed in the F.I.R. itself, and the Title Suit No.577 of 2010 between the parties is also pending in the court of Sub Judge-X, Rohtas at Sasaram. Moreover, the injuries caused by this petitioners to the informant are not grievous in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sasaram, in connection with Sasaram (Muffasil) P.S. Case No.1348 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C.

(Rajendra Kumar Mishra, J)

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