

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58611 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -
PAHARPUR District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Radheshyam Mishra @ Radheyshyam Mishra, Son Mahraj Mishra
 2. Yogeya Mishra @ Jageya Mishra, son of Yamuna Mishra
Both R/o Village-Ganga Pipra, P.S.-Paharpur, District-East Champaran.

.... Petitioners

Versus

The State of Bihar

....Opp. Party

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Appearance :

For the Petitioners : Mr. Dhannjay Kumar No 2

For the Opposite Party : Mr. Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 01-02-2016

Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Paharpur PS Case No. 91 of 2015 disclosing
offences under Sections 447, 341, 323, 324, 307, 379, 308
and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits
that the informant and the petitioners are agnates. Prior to
institution of the present Paharpur PS Case No. 91/2015, the
petitioners' side had lodged Paharpur PS Case No. 90/2015,
in which the informant is an accused. He further submits
that there is no allegation of assault against these

petitioners and main allegation of assault is against one Krishna Mishra, who has been granted regular bail by learned 7th Additional Sessions Judge, Motihari, in ABP No.880 of 2015.

Considering the submission as above, this application is allowed. It is directed that in the event of his arrest, the petitioner above-named, shall 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 Shri N K Yadav, Judicial Magistrate, Motihari at East Champaran, in connection with Paharpur PS Case No.91 of 2015, subject to the conditions as laid down under Section 438(2) CrPC.

This is subject to the further condition that the petitioners shall present themselves before the police/Court below, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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