

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23876 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA

- =====
1. Gajendra Mishra, son of Shivanand Mishra,
 2. Yogendra Mishra, son of Shivanand Mishra, Both resident of Village- Uda Kishunganj West, Brahman Tola, Ward No.7, P.S.- Uda Kishunganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in custody since 17.02.2017
in connection with Uda Kishunganj P.S. Case No. 25/17, G.R. No.
175/17 for offences punishable under Sections 341, 323, 308,
379/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that there was a dispute regarding removal of bamboo clumps
between the parties and the petitioners and one another inflicted
lathi blow on the informant. The cause of enmity is land dispute.

It has been submitted by the learned counsel for the
petitioners that they are innocent, both parties are agnates,



partition suit is pending between them since long and counter-case has also been filed by the petitioners' side and that both sides have received injuries. He submits that one of the co-accused Bijendra Mishra has since been granted the privilege of anticipatory bail by a Coordinate Bench of this Court and that the petitioners have a clean antecedent.

However, learned APP for the State opposes the prayer for bail stating therein that the injury found on the informant has been opined to be grievous in nature.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda Kishunganj, Madhepura, in connection with Uda Kishunganj P.S. Case No. 25/2017.

(Nilu Agrawal, J)

Rajesh/-

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