

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2325 of 2017**

Arising Out of PS.Case No. -120 Year- 2016 Thana -JAMOBABAZAR District- SIWAN

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1. Janardan Mishra, S/o late Raghunath Mishra,  
2. Prashant Kumar Mishra @ Prashant Mishra, S/o Raj Kishor Mishra,  
3. Amit Kumar Mishra @ Amit Kumar, S/o Surendra Mishra, all r/o village  
Fatehpur, PS -Jamo Bazar, District - Siwan.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Kant, Advocate.

For the Opposite Party/s : Mr. Sri Ashok Kumar, APP

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

2      07-02-2017                      Heard learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection  
with Jambo Bazar P.S. Case No. 120 of 2016, registered under  
Sections 147, 148, 149, 341, 323, 324, 364, 504, 506 and 307 of  
the Indian Penal Code and Sections 25(1-b)A, 26 and 37(B) of the  
Arms Act.

The allegation of informant, Satendra Mishra, is that,  
on 30.10.2016, he was going to his duty. In the way, when he  
reached near the house of Vinod Mishra then Vinod Mishra along  
with seven others including the petitioners surrounded him. At that  
time, petitioner no. 3 informed his father, Surendra Mishra on



mobile then his father ordered to kidnap and kill the informant. Thereafter, petitioner no. 3 fired at the informant with intention to kill him but the pellet hit in the mango tree. At that time, Vinod Mishra also fired at the informant, which hit on the wall. Thereafter, all accused persons caused injury to the informant through iron rod and butt of the pistol, on which, he fell down. At that time, they locked the informant in a room, where petitioner no. 1 caused injury at his right leg through iron rod whereas petitioner no. 1 caused injury at the finger of his right hand. At that time, Anikesh Kumar Mishra, Adarsh Kumar Mishra and petitioner no. 2 tried to press his neck.

Learned counsel for the petitioners submits that admittedly petitioners and others co-accused are the agnates of informant, who is the driver in a local police station, and due to family dispute occurrence took place, in which, petitioner no. 1 also sustained injury, regarding which, Jamo P.S. Case No. 122 of 2016 is also instituted on the basis of written report of petitioner no. 1. Seven injuries were found on the person of petitioner no. 1, which would appear to Annexure 1 to the supplementary affidavit. It is further submitted while nine injuries are said to be found on the person of the informant but eight injuries were simple in nature, only injury no. 4 that was swelling on right leg was



grievous due to rapture.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Siwan, in connection with Jambo Bazar P.S. Case No. 120 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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