

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52705 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- KHAJAULI District- Madhubani

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1. Baidya Nath Mishra Son of Late Yugeshwar Mishra.
 2. Pashupati Nath Mishra, Son of Baidya Nath Mishra.
 3. Rohit Mishra @ Rohit Kumar Mishra, Son of Pahupati Nath Mishra.
 4. Raja Mishra @ Anant Mishra, Son of Pahupati Nath Mishra. All are Resident of Village- Rashidpur, P.S. Khajauli, District Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 447, 379 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was sitting at his house, the accused persons armed with rod and danda assaulted the informant and took out money from his pocket.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. There is a case and counter case between the parties. The alleged occurrence is said to have taken place due to dispute relating to village road. The nature of injury is simple in nature. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -III, Madhubani in connection with Khajauli P.S. Case No. 67/18 corresponding to C.R.I. Case No. 824/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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