

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31684 of 2019

Arising Out of PS. Case No.-269 Year-2014 Thana- KOTWA District- East Champaran

1. VIVEK KUMAR aged about 27 years(M) Son of Krishnakant Mishra
2. Bittu Mishra, aged about 25 years(M) Son of Krishnakant Mishra
3. Krishnakant Mishra, aged about 45 years(M) Son of Late Lal Babu Mishra
All residents of Village-Machhargawan, P.S-Bankatwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2019 Heard both sides.

The petitioners apprehend their arrest in Kotwa P.S.
Case No.269 of 2014 registered under Sections 341, 323, 379,
353, 427, 504 and 34 of the Indian Penal Code.

The Headmaster of Navsrijit Prathmik Vidyalaya, Sobaiya alleged that one student, Aman Kumar plucked flower from the door of Jagat Mishra and on such, Kishori Devi, wife of Jagat Mishra dragged the boy outside the school and took him to her own house. The informant further alleged that Kishori Devi and his relatives confined the boy inside the room and began to assault. When the informant and other teachers went there, the accused persons assaulted them. The accused



persons began to abuse the informant. Vivek Kumar, petitioner No.1 is alleged to have snatched Gold Chain from the possession of Krishna Kishore Prasad Yadav and Bittu Mishra snatched Rs.2,000/- from his possession.

The learned counsel for the petitioners submits that only some verbal altercation took place because one of the students plucked flower from the premises of Jagat Mishra. The boy did not get any injury. There is nothing on record to show that any person was assaulted. The informant on account of the fact that the petitioners earlier raised irregularities for distribution for mid-day meal lodged the case.

From perusal of the records, it appears that Aman Kumar, the student of the school plucked flower from the premises of Kishori Devi, wife of Jagat Mishra and for that some altercation appears to have taken place.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



the learned Chief Judicial Magistrate, Motihari, District East
Champaran in connection with Kotwa P.S. Case No.269 of
2014, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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