

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61060 of 2019**

Arising Out of PS. Case No.-308 Year-2019 Thana- KESARIA District- East Champaran

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1. Amit Kumar Mishra @ Amit Mishir, aged about 25 years, Son of Nawal Kishore Mishra, Resident of Village- Bisdhari, P.S.- Kesharia, District- East Champarn at Motihari.
2. Sanjeet Mishra @ Sanjeet Kumar, aged about 20 years, S/O Nawal Kishore Mishra, Resident of Village- Bisdhari, P.S.- Kesharia, District- East Champaran at Motihari.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr.Binoy Kumar Sinha 1, Advocate.  
For the Opposite Party : Mr.Anant Kumar 1, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER**

2      25-09-2019                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 327, 379, 436, 427, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 24.06.2019 at about 5.00 P.M. in the evening, villagers of the informant, i.e., petitioners and 19 others accused persons came variously armed with weapons at her door and on the order of co-accused Dhaur Singh, Amit Kumar Mishra (petitioner no. 1) and co-accused



Alok Kumar thrown Kerosene oil on the house of informant and co-accused Dhaur Singh set fire on her house. On her cry, her husband and Bhaisur came to rescue her then Sanjeet Mishra, Amit Mishra (petitioners), co-accused Pawan Mishra assaulted her husband and Bhaisur with *Farsa* causing head injury and started bleeding. They fell down on the earth. They also took household articles and Rs. 1,00,000/- after entering into her house and also torn their clothes.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 24.06.2019. The petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of the learned  
A.C.J.M. Motihari at East Champaran, in connection with  
Kesharia P.S. Case No. 308 of 2019.

**(Sudhir Singh, J)**

U.K./-

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