

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73801 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- TRIVENIGANJ District- Supaul

1. Indranand Mishra, Son of Late Narsingh Mishra
 2. Kumudanand Mishra @ Kumdanand Mishra, Son of Late Narsingh Mishra
 3. Randhir Mishra @ Randhir kumar Mishra, Son of Krityanand Mishra
 4. Krityanand Mishra, Son of Late Narsingh Mishra
- All are Residents of Village - Belapatti, P.S. - Triveniganj, Distt - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhan Chandra Jha

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Triveniganj P.S. Case No.112 of 2019
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case. Learned counsel submits that there is no specific allegation
of assault against these petitioners.

Learned APP for the State is present and has opposed
the prayer for anticipatory bail of the petitioners.



Considering the facts and circumstances of the case wherein there are specific allegation against petitioner nos.1, 3 and 4 of giving bhala and farsa blow causing injuries on the vital part of the body of the victim, this Court is not inclined to grant anticipatory bail to the petitioner nos.1, 3 and 4.

The contention of learned counsel for the petitioners that there is a counter case and both the parties had indulged in fight over a land dispute and that these petitioners have no criminal antecedent shall be considered by the court below if the petitioner nos.1, 3 and 4 surrender and pray for regular bail within a period of four weeks from today.

So far as petitioner no.2 is concerned, learned counsel for the petitioners submits that there is no specific allegation of assault against petitioner no.2.

Learned APP for the State has not controverted the said submission, though it is the submission that he had also been among the assailants.

Considering the fact that there is no allegation of assault against petitioner no.2 and it seems to be a case of land dispute between the parties, let the petitioner no.2 in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs.



15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Supaul in connection with Triveniganj P.S. Case No.112 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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