

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73506 of 2019**

Arising Out of PS. Case No.-228 Year-2019 Thana- BIRAUL District- Darbhanga

GAUTAM KUMAR MISHRA, aged about 20 years, Male, S/o Triveni Mishra, R/o village- Baliya, P.O.- Afzala Baliya, P.S.- Biroul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Roshan Kumar Mishra, Advocate.
For the State	:	Mr. Dilip Kumar No. 1, A.P.P.
For the Informant	:	Mr. Subhash Kumar Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 307, 379, 354(B), 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 17.01.2019 at around 7.30 P.M. in the evening the informant and his mother was returning to the house, all F.I.R. named accused persons including the petitioner stopped the informant. Co-accused Shrawan Acharya assaulted with Tengari to the informant causing head injury. Co-accused Amit Acharya assaulted with



Iron rod on the head of the mother of the informant causing injury. This petitioner snatched away a golden chain from the neck of the mother of the informant. They also snatched away Rs. 2,000/- from the informant.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 24.09.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation of assault is against co-accused Shrawan Acharya on the head of the informant. There is no allegation of assault alleged against this petitioner. As far as the petitioner is concerned, it is alleged that he had snatched golden chain of the mother of the informant. There is no recovery of golden chain from possession of the petitioner.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Biroul, Darbhanga, in connection with Biroul P.S. Case No. 228



of 2019.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

