

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6951 of 2020

Arising Out of PS. Case No.-26 Year-2019 Thana- MORO District- Darbhanga

1. Tej Narayan Mishra S/o Late Mahesh Mishra Resident
 2. Laddu Mishra @ Laddu Kumar Mishra S/o Late Satya Narayan Mishra
 3. Mukund Kumar S/o Guddu Mishra
- All are residents of Vill/ Mohalla- Patori, P.S.- Moro, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Kedar Jha, Advocate
For the State	:	Mr. Bharat Bhushan (APP)
For the Informant	:	Mr. Manish Kumar
		Mr. Rohit Kumar, Advocates

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-02-2020 Heard learned counsel appearing on behalf of the petitioners, learned counsel appearing on behalf of the informant and learned counsel appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Moro P.S. Case No. 26 of 2019 registered for the offences under Sections 143, 341, 323, 324, 307, 448, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedents and there is no specific allegation of assault by *bhala* on the informant against petitioner nos. 1 and 2. There is no corresponding injury on the person of the injured.



Learned counsel for the informant submits that there is specific allegation of assault against the petitioners.

Considering the aforesaid, the Court is inclined to grant bail to the petitioner nos. 1 and 2, namely, Tej Narayan Mishra and Laddu Mishra @ Laddu Kumar Mishra. Let petitioners, above-named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additioanl Chief Judicial Magistrate, IV, Darbhanga in connection with Moro P.S. Case No. 26 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 3 (Mukund Kumar) is concerned, this Court is not inclined to grant anticipatory to him. However, in the event petitioner no. 3 surrenders in the court below and seeks regular bail, the same shall be disposed on its own merits on the same day without being prejudiced by the order of rejection of this application.

(Anil Kumar Upadhyay, J)

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