

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7319 of 2020

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

GUDDU MISHRA @ GUDDU KUMAR S/o Late Satya Narayan Mishra
Residence of Village/Mohalla- Patori, P.S.- Moro, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 10-07-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsels are appearing and making submissions
from their residence. The Court Master and Secretary are also
part of this virtual court proceedings from their homes, all with
the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends arrest in connection with Moro P.S.
Case no. 26 of 2019 instituted for the offence under Section(s)
143,341,323, 324,307, 448,504 and 506 of the Indian Penal
Code.

There is allegation that being annoyed by explosion of
crackers co-accused person, namely, Laddu Mishra and the



instant petitioner have assaulted the informant and her husband indiscriminately by means of spear. It is alleged that other accused persons have also assaulted. Specific assault alleged against the petitioner is on the husband of the informant.

Mr. Jha appearing for the petitioner submits that there is no injury report on the record to corroborate the said allegation. The petitioner has been implicated in the instant case on the basis of political grudge. Co-accused Laddu Misha, against whom there is graver allegation of assault on head by means of spear, which has been corroborated by the injury report, has been allowed anticipatory bail in Cr. Misc. no. 6951 of 2020. The petitioner has no criminal antecedents.

The learned APP for the State has opposed the prayer for bail .

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-IV, Darbhanga, in connection with Moro P.S. Case no. 26 of 2019, subject to the conditions as laid



down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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