

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20004 of 2020

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

1. INDRANAND MISHRA Son of Late Narsingh Mishra
2. Krityanand Mishra Son of Late Narsingh Mishra
3. Randhir Mishra @ Randhir Kumar Son of Krityanand Mishra all Resident of Village- Belapatti, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-09-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 324,
307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. He submits that there is case and counter case between the
parties. He submits that one of the accused namely Anita Devi
lodged an FIR bearing Triveniganj P.S. Case No. 113 of 2019
registered under Sections 341, 323, 324, 307/34 of the Indian



Penal Code against the informant and others for the same occurrence. He submits that petitioner nos. 1 and 3 assaulted the brother of the informant namely Ajay Mishra by Farsa whereas petitioner no. 2 assaulted the informant by Bhala. He submits that injury found upon the informant is simple in nature as stated in para-34 of the case diary. He submits that similarly situated co-accused has been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 73801 of 2019 on 13.12.2019. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners. He further submits that petitioners have no criminal antecedent and they are languishing in judicial custody since 06.01.2020.

Learned counsel for the State submits that earlier learned counsel for the petitioners has made a wrong submission before the Bench in Cr. Misc. No. 73801 of 2019 and on that basis, the petitioner Kumudanand Mishra was granted anticipatory bail. It is a serious matter that learned counsel for the petitioners suppressed the facts and got anticipatory bail.

In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties



of the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Supaul in connection with Triveniganj
Police Station Case No. 112 of 2019.

(Anjani Kumar Sharan, J)

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