

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22945 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- MAKER District- Saran

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DHARMENDRA MISHRA SON OF LATE SHATRUDHAN MISHRA R/O
VILLAGE- CHANDILA PIR MAKER, P.S.- MAKER, DISTRICT- SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.A.PP.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Maker P.S. Case no. 164
of 2020 registered for the offence punishable under sections 341,
324, 307/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is
person with clean antecedent and is in custody since 12.01.2021.
Learned counsel for the petitioner next submits that from perusal of
the allegation as alleged in the FIR, it would manifest that the
informant has alleged that on 01.12.2020 at about 11.20 p.m., one
Mayanak Mishra came to the door of the informant and called the
informant and when the informant opened the door, he saw three
more persons including this petitioner. Thereafter it is alleged that all
the accused persons including this petitioner started shouting to kill
the informant as his father is notorious person. Next it is alleged that
all the accused persons stabbed the informant leading to injury and



thereafter, informant was taken to hospital where he was treated. Learned counsel for the petitioner further submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant has not stated specifically who stabbed him rather it is alleged that all the accused stabbed him but the injury report annexed as Annexure 4 it would manifest that nature of the injury is grievous but there is only a sharp cut injury on the lower abdomen as such it is alleged that it does not get corroborated with the allegation as alleged in the FIR as it is alleged that all accused persons stabbed the informant.

Learned APP vehemently opposed the prayer for bail.

Considering the facts that petitioner is person with clean antecedent and is in jail custody since 12.01.2021 and charge sheet has been submitted and allegation of assault is not specific, petitioner is directed to 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 Judicial Magistrate, Ist Class, Chapra at Saran in Maker P.S. Case no. 164 of 2020.

s.hassan/-

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(Satyavrat Verma, J)

