

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23000 of 2021

Arising Out of PS. Case No.-408 Year-2020 Thana- KATEYA District- Gopalganj

UTAM MISHRA Son of Jaleshwar Mishra Resident of Village - Ramdas
Bagahi, P.S.- Kateya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.A.PP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

Petitioner seeks bail in connection Kateya P.S. Case no.
408 of 2020 registered for the offence punishable under sections
341,323, 325, 307, 379, 354 of the Indian Penal Code and
subsequently, section 302/34 IPC has been added.

Learned counsel for the petitioner at the outset submits
that petitioner is in custody since 08.12.2020, charge sheet has
been submitted and petitioner is person with clean antecedent.
Learned counsel for the petitioner further submits that from
perusal of the allegation as alleged in the FIR, it would manifest
that informant has alleged that occurrence took place on account
of land dispute in which informant has specifically alleged that
Atul Mishra, Jaleshwar Mishra and Parmeshwar Mishra



assaulted Ram Punit Mishra, uncle of the informant on head who died during course of treatment. Learned counsel for the petitioner next submits that in the FIR there is no allegation that this petitioner also assaulted the deceased.

Learned counsel for the informant vehemently opposed the prayer for bail and submitted that despite informant's side decree in respect of land in question for which dispute arose in which accused persons including this petitioner indulged in the occurrence resulting death of uncle of the informant.

Learned APP vehemently opposed the prayer for bail.

Considering the facts that petitioner is in jail custody since 08.12.2020, charge sheet has been submitted and petitioner is a person with clean antecedent, the 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 Chief Judicial Magistrate, Gopalganj in Kateya P.S. Case no. 408 of 2020 .

(Satyavrat Verma, J)

s.hassan/-

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

