

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25003 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- MADHUBAN District- East Champaran

1. Umesh Kumar Mishra @ Umesh Mishra S/O Krishna Mohan Mishra R/O Village- Madhuban, P.S.- Madhuban, Dist.- East Champaran
2. Akhilesh Mishra S/O Krishna Mohan Mishra R/O Village- Madhuban, P.S.- Madhuban, Dist.- East Champaran
3. Vivek Mishra S/O Umesh Kumar Mishra @ Umesh Mishra R/O Village- Madhuban, P.S.- Madhuban, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354, 354B, 504, 506, 379/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other accused persons surrounded the informant. She was assaulted by the accused persons and also torn her cloths. It is further alleged that they snatched Rs. 1000/- and a golden mangalsutra from her neck.

It is submitted by learned counsel for the petitioners that petitioner are innocent and have been falsely



implicated in this case due to land dispute. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is case and counter case between the parties. He submits that occurrence took place on 24.08.2020 but FIR was lodged on 05.09.2020 and there is no explanation for such delay.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is delay in lodging the FIR, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Madhuban P.S. Case No. 259 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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