

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.163 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- AGRER District- Rohtas

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Ram Ji Mishra, aged about 60 years, male, Son of Late Jai Kumar Mishra,
Resident of Village- Sisirit, P.S.- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-11-2021 Heard Mr. Vishwajeet Kumar Mishra, the learned

Advocate for the petitioner and Ms. Sharda Kumari, the

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Agrer P.S. Case No. 39 of 2020,

dated 28.07.2020, instituted for the offences under Sections

147, 148, 149, 307, 323, 341, 354, 504 and 506 of the

Indian Penal Code and Section 27 of the Arms Act.

Several persons have been made accused in this

case out of whom seventeen persons have been named in

the F.I.R.



It has been submitted on behalf of the petitioner that the occurrence took place because of a dispute over a plot of land. Because of such dispute, there was a scuffle between the parties who were staking their respective claims over the said plot of land. The act of firing has been attributed to another accused person whose bail application has been rejected.

The petitioner, it has been argued, though is alleged to have been armed with a lethal weapon and is also said to have made attempts at strangulating one of the victims, but there is no corresponding injury with respect to the act of assault attributed to him.

It has further been submitted that merely because the petitioner is in legal profession and has advised one of the parties to the dispute with regard to his legal rights, he too has been made accused in this case.

The injury report of the sole injured person also does not inspire confidence as it appears to have been issued by a private Hospital, which is in the nature of a certificate.

Apart from this, it has been submitted that some of



the other accused persons of this case have been granted anticipatory bail by different Benches of this Court.

Regard being had to the facts afore-stated and taking into account that the only other case lodged against the petitioner was at the instance of his one of the nephews and in that case, he is on bail, he (the petitioner/Ram Ji Mishra), in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram at Rohtas in connection with Agrer P.S. Case No. 39 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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