

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.235 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- SARAI District- Vaishali

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MUKESH KUMAR MISHRA @ MUKESH MISHRA Son of Late Dwarika Mishra Resident of Village - Akhtiyarpur, Parhera Ward No. 3, P.S.- Sarai, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jharkhandi Upadhyay

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-09-2021 Heard learned counsel for the petitioner and the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Supplementary affidavit is filed on behalf of the petitioner. The same be kept on record.

The petitioner is apprehending his arrest in Sarai P.S. Case No. 60 of 2020 registered under Sections 147, 148, 149, 341, 323, 324, 307, 302, 120(B) of the Indian Penal Code.

Allegedly, the accused persons assaulted the informant's daughters, namely Deepa Kumari @ Muskan and Priya Kumari, as a result of which, one of the daughters of the informant,



namely Deepa Kumari @ Muskan succumbed to the injuries.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The main allegation of assault is against the co-accused namely Pintu Mishra. So far the petitioner is concerned, he is alleged to have assaulted one Bibha Devi and Priya Kumari. From perusal of the injury report of both of the victims, brought on record by filing supplementary affidavit, it shows that there is no external injury upon the victim Bibha Devi and so far as the injury of Priya Kumari is concerned, the same is simple in nature.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai P.S. Case No. 60 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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