

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2847 of 2021

Arising Out of PS. Case No.-268 Year-2018 Thana- CHENARI District- Rohtas

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RAM KUMAR MISHRA, S/O LATE BHRIGUNATH MISHRA Resident Of
Village - Veer Nagar, P. S. - Chenari, District - Rohtash at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhotelal Mishra

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-07-2021 Heard Mr. Chhotelal Mishra, learned counsel for

the petitioner and Ms. Meena Singh, learned APP for the

State.

The petitioner seeks bail in anticipation of his

arrest in connection with Chenari P. S. Case No. 268 of

2018, dated 26.12.2018, instituted for the offences

under Sections 147, 148, 149, 341, 323, 307, 504,

379, 427 and 506 of the Indian Penal Code.

The accusation against the petitioner is of

having participated in the assault on the prosecution

side. The accused persons were 16 in number. There is

no specific accusation against the petitioner. The



occurrence has taken place because of a dispute over *gair mazarua aam road*. An encroachment case also was contested between the parties *vide* Encroachment Case No. 9 of 1988-89.

The encroachment made by the prosecution side was directed to be vacated.

Since the petitioner is an Advocate and the informant also comes from the same profession, he has been named in the present case only for avenging some other professional rivalry.

So far as the antecedent of the petitioner is concerned, there is no doubt that he was earlier made an accused in a criminal case but according to the learned counsel for the petitioner, that case was managed to be filed by one of the clients of the petitioner. The petitioner is on bail in that case.

Regard being had to the nature of accusation and the background facts, the petitioner, above-named, is directed to be released on bail, in the event of his



arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Chenari P. S. Case No. 268 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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