

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17206 of 2021

Arising Out of PS. Case No.-377 Year-2020 Thana- BASANTPUR District- Siwan

1. Pulasth Mishra, aged 45 years, Gender-Male
2. Vijay Mishra @ Vijay Kumar Mishra, aged 50 years, Gender-Male.
Both are sons of Late Uma Shankar Mishra.
3. Pankaj Mishra, aged 29 years, Gender-Male, Son of Pulasth Mishra
4. Subhawati Devi, aged 40 years, Female, W/O Pulasth Mishra
5. Byuti Devi @ Baby Devi, aged 28 years, Gender-Female, W/O Pankaj Mishra
6. Ravi Kant Mishra @ Ravi Kant Kumar Mishra, aged 22 years, Gender-Male, Son of Vijay Mishra
7. Neha Kumari, aged 23 years, Gender-Female, D/O Vijay Mishra
All are resident of Village Kanhauli, P.S.- Basantpur, Distt.- Siwan.
8. Chinta Kumari, aged 21 years, Gender-Female, D/O Manoranjan Mishra
resident of village - usri, p.s.- G.B.Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-03-2022 Heard Mr. Bijay Prakash Singh, learned Advocate
for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in anticipation of their arrest in connection with Basantpur P.S. Case No. 377 of 2020 dated 07.09.2020 instituted for the offences under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

Though all the petitioners are said to have assaulted the Informant and other members of his family because of his



refusal to act as a mediator in settling a criminal case against the petitioners but, there is no specific accusation against any one of them.

All the persons claimed to have been assaulted by the petitioners have received only simple injuries. There is a counter version of the occurrence also vide Basantpur P.S. Case No. 378 of 2020 which fact has been stated in para-6 of the bail petition.

The petitioners have filed supplementary affidavit correcting the error in para-3 of the bail petition.

The petitioners had earlier been made accused in a case vide Basantpur P.S. Case No. 229 of 2012 in which they are on bail. This fact could not be stated in para-3 of the petition because of miscommunication by the Pairvikar of the case.

Considering the nature of accusation against the petitioners and taking into account that the injury suffered by the victim are all simple in nature, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection



with Basantpur P.S. Case No. 377 of 2020, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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