

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22304 of 2021

Arising Out of PS. Case No.-411 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

GYAN PRAKASH MISHRA S/o Sachchidnand Mishra Resident of Village-
Kurra, P.S.- Mohania, District- Kaimur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mohania P.S. Case no. 411 of 2019 instituted for the
offence under Sections 384, 385, 506 and 427/34 of the Indian
Penal Code.

As per allegation in the FIR, informant has purchased
a land from Omkar Nath Mishra upon which he was erecting a
boundary wall which was demolished by the petitioner and a
rangadaari of Rs. 25,00,000/- was demanded by the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. There was an old land dispute between the vendor of the informant (Omkar Nath Mishra and the father of the petitioner. The informant is cousin brother of the petitioner. There is no specific allegation of assault against the petitioner. This is purely a dispute of civil nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mohania P.S. Case no. 411 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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