

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23341 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- TARIYANI CHOWK District- Sheohar

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ASHISH RAJ SON OF ASHOK KUMAR MISHRA R/O - WARD NO- 02,
VILLAGE- NARWARA KISHUNPUR @ NARWARA, P.S.- TARIYANI,
DISTRICT- SHEOHAR.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANOJ KUMAR MISHRA SON OF GULAB MISHRA R/O VILLAGE-
NARWARA KISHUNPUR URF NARWARA, P.S.- TARIYANI, DISTRICT-
SHEOHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarojanand Kumar
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-05-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Tariyani P.S. Case No. 255/2020 instituted for
the offences under Sections 323, 341, 354, 379, 504 and 506 of
the Indian Penal Code.

The accusation against the petitioner is of having put
up a demand of protection money and also of assaulting the
informant when he did not pay up.

The learned counsel for the petitioner has submitted
that the F.I.R. is based on absolutely false averments. This case
has been lodged by the informant by taking the local police in



collusion as he is a MNREGA Officer. The occurrence is said to have taken place nine days before the matter was reported. The petitioner is stated to be a twenty one year old young person, who is pursuing his studies in footwear design. The learned counsel for the petitioner has further drawn the attention of this Court to the fact that prior to the lodging of the subject F.I.R, the mother of the petitioner had filed a complaint case against the informant for his attempt at grabbing the land of the family of the petitioner.

There is a further dispute between the parties as the informant had taken loan from the Fisheries Department over a land which fell in the share of the father of the petitioner for which a complaint was made.

Likewise, several such instances have been narrated in the petition regarding the background of enmity which is the sole purpose of lodging the present case.

Regard being had to the afore-stated 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate -II-cum-Sub Judge -IV, Sheohar, in connection with Tariyani P.S. Case No. 255/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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