

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31313 of 2021**

Arising Out of PS. Case No.-408 Year-2020 Thana- BIRAUL District- Darbhanga

AJIT KUMAR MISHRA S/o Maya Kant Mishra Resident of Village- Kahua,
Police Station- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 17-02-2022 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 Biraul P.S. Case no. 408 of 2020 instituted for the offence
under Sections 341, 323, 326, 379, 354(B), 504/34 of the Indian
Penal Code.

As per allegation in the FIR, an altercation took place
between the parties over a land dispute and being annoyed



accused persons including the petitioner armed with various weapons entered into the courtyard of the informant. Petitioner has given repeated blow, which hit the niece of the informant resulting in to finger cut injury. It is further alleged that petitioner tried to outrage the modesty of mother of the informant and took away gold ear ring.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. There is admitted land dispute between the parties. General and omnibus allegations have been levelled against the petitioner. From perusal if the injury report, which is Annexure-3 to this petition, it appears that injured has received simple injury.

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 Biraul P.S. Case no. 408 of 2020, 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-II, Biraul, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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