

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35794 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- BENIPATTI District- Madhubani

1. Mahendra Mishra S/O Navo Narayan Mishra Village-Pali Uttarwari Tola, P.S Benipatti, District-Madhubani.
2. Akhileshwar Mishra S/O Navo Narayan Mishra Village-Pali Uttarwari Tola, P.S Benipatti, District-Madhubani.
3. Binod Mishra S/O Navo Narayn Mishra Village-Pali Uttarwari Tola, P.S Benipatti, District-Madhubani.
4. Bhaskar Kumar Mishra S/O Mahendra Mishra Village-Pali Uttarwari Tola, P.S Benipatti, District-Madhubani.
5. Suryakant Mishra S/O Ram Chandra Mishra Village-Pali Uttarwari Tola, P.S Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 323, 324, 326, 307, 354(b),
504, 34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioners assaulted the informant and one Sudhar Sahni by means
of farsa and garasa, due to which they sustained injuries.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Benipatti, Madhubani in connection with Benipatti P.S. case No.286 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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