

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39897 of 2022

Arising Out of PS. Case No.-81 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

1. IJOT NARAYAN MISHRA Son of Late Kashi Kant Mishra Resident of village - Galma, P.S. - Ghanshyampur, District - Darbhanga
2. Vivek Kumar Mishra @ Vivek Mishra Son of Ijot Narayan Mishra Resident of village - Galma, P.S. - Ghanshyampur, District - Darbhanga
3. Abhishek Kumar Mishra @ Abhishek Mishra Son of Vivek Mishra Resident of village - Galma, P.S. - Ghanshyampur, District - Darbhanga
4. Mira Devi Wife of Ijot Narayan Mishra Resident of village - Galma, P.S. - Ghanshyampur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Ghanshyampur P.S. Case no. 81 of 2020 instituted for the offence under Sections 341, 323, 324, 307, 354, 379, 504, 34 of the Indian Penal Code.

Prosecution case is that when the informant was choosing the leaf of *tulsi*, in the meantime, the petitioners along with other co-accused persons came and started abusing him



and saying why she is choosing the leaf of *Tulsi* because the said land belongs to them. It is further alleged that they also assaulted him and his daughter by means of lathi danda and iron rod due to which they sustained injury.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. A statement has been made in para 3 of the petition that the petitioners have got no criminal antecedent. From perusal of the FIR, it is apparent that there is a bonafide land dispute is going between the informant and petitioners due to which these petitioners have falsely been made accused in this present case. There is case and counter case. It is further submitted that there is general and omnibus allegation against these petitioners, no specific accusation against them. It is further submitted that compromise has been prevailed between the parties, no grievance remained presently between them.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 petitioners on bail. The petitioners are directed to surrender in the Court below within a



period of four weeks from today and in the event of their arrest or surrender in connection with Ghanshyampur P.S. Case no. 81 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Biraul, District- 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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