

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50907 of 2021

Arising Out of PS. Case No.-172 Year-2019 Thana- NOKHA District- Rohtas

Chandrashekhar Mishra Son of Late Ganga Mishra Resident of Village -
Sisirit, P.S.- Nokha (Dharampura), Distt.- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.Jitendra Kumar Singh A.P.P

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-03-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Nokha (Dharampura) P.S.Case No. 172 of
2019 for the offences punishable under Section 341, 323,
307, 379, 324, 504, 506/34 of the Indian Penal Code.

As per allegation in the F.I.R, petitioner and other
co-accused persons assaulted the informant and his elder
brother on their head by means of lathi and Tangi. As a
result of which they sustained injuries.

Learned counsel for the petitioner submits that



petitioner is named in the F.I.R and charge sheet has already been submitted. Learned counsel further submits that there is case and counter case between the parties. It appears from the injury report that injuries were caused by hard and blunt substance, which are simple in nature. Petitioner has got clean antecedent and he is in custody since 16.04.2021. Further similarly situated, co-accused namely, Dablu Mishra @ Chandan Mishra, Ambika Mishra and Gorakh Mishra have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 70159 of 2019 vide order dated 15.11.2019. One another co-accused namely, Harendra Mishra, who is informant of Nokha (Dharampura) P.S.Case No. 117 of 2019 has already been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 65801 of 2019 vide order dated 17.10.2019.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having considered the submission made on behalf of the petitioner and also the materials brought on the record especially, the nature of the injuries and orders passed by the co-ordinate Benches in respect to other co-



accused, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Nokha (Dharampura) P.S. Case No. 172 of 2019, on the following conditions:

“(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail”

(Harish Kumar, J)

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