

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50634 of 2021**

Arising Out of PS. Case No.-386 Year-2021 Thana- BIHTA District- Patna

1. Monu Mishra @ Monu Kumar Mishra Son of Sri Sanjay Mishra Resident of Village- Sahbajpur, P.O.- Bishunpura, P.S.- Bihta, District- Patna.
2. Rakesh Mishra @ Rakesh Kumar Son of Sri Kamlesh Kumar Mishra Resident of Village- Sahbajpur, P.O.- Bishunpura, P.S.- Bihta, District- Patna.
3. Anshu Mishra @ Anshu Kumar Son of Sri Navlesh Kumar Resident of Village- Sahbajpur, P.O.- Bishunpura, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      25-01-2022      Heard learned counsel for the petitioners, the State and the informant.

Petitioners pray for grant of regular bail in a case registered for the offence punishable under sections 307, 379/302/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, at 7 pm while the informant was sitting at his house, petitioners and other accused persons came there and tried to outrage the modesty of his mother. Meanwhile, they took away her ornaments along with cash Rs.50,000/- and on protest by co-villager, namely, Dharamveer Rai, accused persons assaulted him by iron rod causing head injury leading to his death during course of treatment. Co-accused Sanjay Mishra assaulted the informant by the butt of Katta and also threatened him.



Learned counsel for the petitioners submits that six accused persons are said to have assaulted the the victim but only two injuries have been found on the person of the deceased. Instant case is the counter blast of earlier case, namely, Bihta Police Station Case No. 385 of 2021. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioners. Petitioners are in custody since 17.6.2021.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that there is specific allegation that all the FIR named accused persons including the petitioners committed the aforesaid offence.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur, Patna in Bihta Police Station Case No. 386 of 2021.

**(Prabhat Kumar Singh, J)**

Shashi

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