

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59936 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- GOGRI District- Khagaria

BIJENDRA KUMAR MISHRA Son of Ram Bilash Mishra Resident of
Village- Dukha Tola, P.S.- Gogri, District- Ghagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-06-2022 Heard the learned counsel for the petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Gogri P.S. Case No. 12 of
2021 (G.R.No. 118 of 2021) registered for the
offence punishable under Section 341, 342, 323,
324, 307, 379, 504, 506 and 354(A)/34 of the
Indian Penal Code.

The allegation is regarding the informant
having objected to the petitioner climbing the tree
in question whereupon the petitioner and one
other co-accused person had assaulted the
informant and others. As far as the petitioner is



concerned, he is stated to have inflicted a *garasa* blow on the head of the informant.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted, by referring to the injury report of the informant, annexed as annexure-2 to the present petition, that the injuries sustained by the informant have been found to be simple in nature. It is further submitted that the incident in question had taken place at the spur of moment on account of certain trivial dispute.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the injuries sustained by the informant, attributable to the petitioner herein, have been found to be simple in nature, apart from



the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S.Case No. 12 of 2021 (G.R.No. 118 of 2021), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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