

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3406 of 2023

Arising Out of PS. Case No.-40 Year-2022 Thana- CHUTIA SAHAYAK District- Rohtas

Gyan Chand Mishra Son Of Late Sumer Mishra R/O Village- Parariya, P.S.-
Chutiya, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-03-2023 Let the defects, if any, pointed out by the office

be removed within four weeks from the date of this order,

failing which the matter be listed again under the

appropriate heading for necessary action.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Chutiya P.S. Case No. 40 of 2022 registered for the offences

punishable under Sections 147, 149, 341, 323, 506 and 307

of the Indian Penal Code.

As per the prosecution, it is alleged that this

petitioner along with other named co-accused persons

surrounded and assaulted the informant by means of Lathi



and Iron-rod. It is further alleged that these accused persons also assaulted the family members of the informant when they came to rescue him.

The main submissions advanced by petitioner's counsel are that both the parties are agnates and there is case and counter-case in between both the parties and the petitioner's case was lodged prior to the institution of the FIR of the present matter and the petitioner has fair and clean antecedent and one similarly situated co-accused Mahen Chandra Mishra @ Mahem Chandra Mishra has been granted bail by a co-ordinate Bench of this Court vide order dated 16.02.2023 passed in Cr. Misc. No. 65337/2022 and the informant is stated to have been assaulted by this petitioner and co-accused Mahen Chandra Mishra @ Mahem Chandra Mishra by means of iron-rod and his injuries have been opined to be caused by hard and blunt object.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, in my opinion the petitioner deserves to the privilege of bail.



Accordingly, let the petitioner 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 Court concerned in connection with Chutiya P.S. Case No. 40 of 2022.

(Shailendra Singh, J)

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