

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5414 of 2022

Arising Out of PS. Case No.-197 Year-2021 Thana- PANDAUL District- Madhubani

Manoj Kumar Mishra, Son of Late Balli Narayan Mishra, Resident of Village
- Bihnagar, P.S.- Pandaul, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Manoj Mishra, Advocate Mr. Amitabh Sohan, Advocate
For the State	:	Ms. Meena Singh, APP
For the Informant	:	Mr. Alok Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

11 01-02-2023 Heard learned counsel for the petitioner and the learned counsel for the informant as well as learned APP for the State.

The petitioner seeks bail in connection with Pandaul P.S. Case No.197 of 2021 registered for the offence punishable under Sections 341, 323, 307, 379 and 504 of the Indian Penal Code.

As per the prosecution case, the petitioner has exhorted his brother and other co-accused persons to assault the informant and members of the prosecution party, who have come to rescue. There is also allegation that petitioner has inflicted repeated assault by means of *Farsa* on one Ajay Kumar Mishra.

Learned counsel for the petitioner submits that the petitioner and the prosecution parties are on rival terms, based on local politics. Under the circumstance, the petitioner has been implicated in this case as a sequel to the other cases lodged



by the same family against the petitioner and his family members. The petitioner is in custody since 19.12.2021. Investigation is complete.

Learned counsel for the informant as well as the learned APP for the State has opposed the prayer. It is submitted that there is specific allegation of assault by sharp-cutting weapon (*Farsa*) upon said Ajay Kumar Mishra. The same is duly corroborated by the injury report, wherein the Doctor has opined the injuries to be grievous in nature. The petitioner, as per disclosure, till date has at least seven criminal antecedents.

Considering the rival submissions, the nature of assault alleged and the material collected in the course of evidence along with the petitioner's antecedents, this Court, for the present, is not inclined to allow the prayer for bail. Application stands rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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