

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9579 of 2023

Arising Out of PS. Case No.-878 Year-2022 Thana- BRAHMPUR District- Buxar

1. Ramashankar Mishra, Son Of Late Baban Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
2. Vasudev Mishra @ Basudeo Mishra, Son Of Late Baban Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
3. Suresh Mishra @ Suresh Nath Mishra, Son Of Late Baban Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
4. Ramesh Mishra @ Ramesh Nath Mishra, Son Of Late Baban Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
5. Prabhakar Mishra @ Tej Narayan Mishra, Son Of Late Nirmal Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
6. Sudhakar Mishra, Son Of Late Tulsi Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar
7. Pawan Kumar Mishra, Son Of Sri Shanker Mishra R/O Vill.- Devni, P.S.- Brahmpur, Distt.- Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Pathak
For the State	:	Mr. Ram Anurag Singh
For the Informant	:	Mr. Satyapal Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 19-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 337, 379, 504 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that



the petitioners are persons with clean antecedent and the informant alleges that Rama Shankar Mishra was urinating on the wall of the informant, which was witnessed by the female members of the house and on objection, it is alleged that accused persons came and Vasudev Mishra assaulted him by an iron rod causing injury on head, Rama Shankar Mishra assaulted him by axe causing injury on finger, Prabhakar Mishra assaulted his son by an iron farsa causing injury on head. Thereafter, Ramesh assaulted Krishna with lathi causing injury on head. It is further alleged that Ranjan Mishra was also assaulted causing injury on hand while Ajay Mishra took away golden chain from his neck.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that the issue was trivial on account of which, the present occurrence took place. It is also submitted that both sides assaulted each other and from the side of the petitioners, four persons were grievously injured. It is next submitted that the injury alleged to have been caused on the informant by Vasudev Mishra @ Basudeo Mishra is alleged to be grievous.

5. The Learned A.P.P. along with learned counsel for the informant opposes the anticipatory bail application of the



petitioners.

6. The Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.2 Vasudev Mishra @ Basudeo Mishra.

7. Accordingly, the prayer for anticipatory bail of the petitioner no.2, Vasudev Mishra @ Basudeo Mishra is rejected.

8. So far as the rest petitioners are concerned, the petitioner nos.1, 3, 4, 5, 6 and 7, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Brahmpur P. S. Case No.878 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

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