

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20462 of 2023

Arising Out of PS. Case No.-839 Year-2022 Thana- MADHEPURA District- Madhepura

1. SANTOSH KUMAR MISHRA @ SANTOSH MISHRA S/O LATE RADHAKANT MISHRA R/v- Machhbakhra, Ward No. 09, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
2. JAWAHAR KUMAR MISHRA @ JAWAHAR MISHRA S/O LATE RADHAKANT MISHRA R/v- Machhbakhra, Ward No. 09, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
3. JAIPRAKASH MISHRA S/O LATE RADHAKANT MISHRA R/v- Machhbakhra, Ward No. 09, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
4. ANTOSH MISHRA @ ANTOSH KUMAR @ PAPPU KUMAR MISHRA S/O LATE RADHAKANT MISHRA R/v- Machhbakhra, Ward No. 09, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
5. AMIT KUMAR MISHRA @ AMIT JHA S/O LATE VIJAY JHA @ VIJAY KUMAR MISHRA Resident of Village- Padariya, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shail Kumari, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 384, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant



alleges that on account of not paying the extortion amount of Rs. 5,00,000/- six named accused persons including the petitioner alongwith four unknown came and hurled abuses upon the informant, it is next alleged that petitioner No. 5 opened fire upon the informant but missed and thereafter petitioner No. 3 assaulted the informant with butt of pistol and blood started oozing from his head and thereafter the accused persons looted gold ring alongwith Rs. 50,000.

The learned counsel for the petitioners submits that the anticipatory bail application of petitioner No. 2 and 5 has already been withdrawn earlier, it is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the petitioners have been falsely been implicated when admittedly petitioners are person with clean antecedent and even the injuries suffered is simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 839 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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