

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49228 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- PHULPARAS District- Madhubani

Anand Mishra Son Of Late Satanji Mishra Resident Of Village- Tharbitiya,
Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Virendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant/s	:	Mr. Mahboob Ashraf, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Phulparas P.S. Case No. 178 of 2023 dated 29.03.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons holding *lathi*, sword came and started



abusing and assaulting the informant. In the meantime, the petitioner assaulted the informant with sword on his head causing cut injury. Thereafter, the co-accused Manoj Mishra snatched the informant's golden chain.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The injury is said to be simple in nature caused by hard and blunt substance. The petitioner is accused in 16 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 04.05.2023.

6. Learned A.P.P. for the State as well as the leaned counsel for the informant have vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 178 of 2023, with the conditions :-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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