

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50996 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Pandai Devi Wife Of Mr. Jaikishore Mishra R/V- Ranipur, P.S- Sadar, Dist- Darbhanga
 2. Manoj Mishra Son Of Mr. Umesh Mishra R/V- Ranipur, P.S- Sadar, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh
	:	Mr. Ajay Thakur.
For the Opposite Party/s	:	Mr. Satyendra Prasad
	:	Mr. Kalyan Shankar
For the Informant	:	Mr. Chandra Mohan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sadar P.S. Case No. 117 of 2022 registered under sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code in which subsequently Section 302 of the Indian Penal Code was also added.

The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant with hockey stick, thereafter they had assaulted the informant and his son, due to which informant's son



sustained serious injury on head with khanti and subsequently, he had died during the course of treatment.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case due to land dispute and both parties are agnates. It is further submitted that a general and omnibus allegation has been levelled against the petitioners and the specific allegation of assaulting to informant's son by iron khanti on the head of the deceased is against the co-accused person, namely, Umesh Mishra, due to which the son of the informant succumbed to injury. There is a case and counter case between the parties. A statement has been made in para-3 of the petition that petitioners have got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by this co-ordinate Bench of this Court vide order dated 06.01.2023 in Cr. Misc. No. 58147 of 2022. Petitioners are languishing in judicial custody since 08.06.2022.

The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the



case, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sadar P.S. Case No. 117 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga at Laheriasarai.

(Sunil Kumar Panwar, J)

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