

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67964 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. HARENDRA MISHRA son of Late Kedar Mishra Village- Hariharpur Lalgadh Ps- GB Nagar Dist- Siwan
 2. SUNAINA DEVI wife of Harendra Mishra Village- Hariharpur Lalgadh Ps- GB Nagar Dist- Siwan
 3. SANJEEV MISHRA son of Balindra Mishra Village- Hariharpur Lalgadh Ps- GB Nagar Dist- Siwan
 4. ABHISHEK MISHRA @ ABHISHEK KUMAR son of Harendra Mishra Village- Hariharpur Lalgadh Ps- GB Nagar Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Pandey
For the Opposite Party/s :	Mr. Upendra Kumar
	Mr. Pawan Kumar
	Mr. Kuldeep Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 354, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, the petitioners assaulted the informant by means of several weapons. Petitioner no.4 tried to outrage her modesty and took away Rs.20,000/- from her.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are the in-laws of the informant and there is no specific overt act against them. He further submits that there is an admitted land dispute between the parties. He further submits that though the informant has supported the prosecution case in her statement recorded u/s 164 of Cr.PC but there is a contradiction of statement in the FIR and the statement recorded u/s 164 Cr.PC. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/Successor Court in connection with G.B. Nagar P.S. Case No.271 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

