

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63436 of 2022

Arising Out of PS. Case No.-488 Year-2018 Thana- HARSIDHI District- East Champaran

1. ARUN MISHRA @ ARUN KUMAR MISHRA SON OF LATE SATYANARAYAN MISHRA R/O VILLAGE- GOITHALA, P.S.- HARSIDHI, DISTRICT- EAST CHAMPARAN
2. RAJ KUMAR MISHRA @ RAJ KUMAR SON OF LATE SATYANARAYAN MISHRA R/O VILLAGE- GOITHALA, P.S.- HARSIDHI, DISTRICT- EAST CHAMPARAN
3. RAM NIRANJAN MISHRA SON OF LATE SATYANARAYAN MISHRA R/O VILLAGE- GOITHALA, P.S.- HARSIDHI, DISTRICT- EAST CHAMPARAN

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 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, 379 & 504/34 of the Indian Penal Code.

All the petitioners in further of a common intention are said to have assaulted the informant.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place.

Petitioners are agnate of the informant and they have been



falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. The injury sustained by the victim is simple in nature. It is further submitted that petitioners were availing the privilege of Section 41 (a) Cr.P.C. but, later on, chargesheet was submitted under Section 308 IPC and except this section all sections are bailable. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 Harsidhi P.S. Case No.488 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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