

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21675 of 2024

Arising Out of PS. Case No.-883 Year-2022 Thana- BRAHMPUR District- Buxar

1. Pankaj Mishra son of Late Ram Kumar Mishra Resident of Village- Dhevani, P.S.- Brahmpur, Dist.- Buxar
2. Rahul Mishra Son of Shailendra Mishra Resident of Village- Dhevani, P.S.- Brahmpur, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 324, 325, 307, 354A, 379, 504, of the Indian Penal Code.

3. As per FIR, the informant alleged that the petitioners and co-accused persons armed with various weapons came at her house and started abusing and assaulting. It is further alleged that the petitioner petitioner no. 1, Pankaj Mishra gave iron rod blow upon the head of Ramesh Mishra due to which he sustained injury on his head.



Petitioner No-2 gave gun but blow upon the head of Kamal Kishore Mishra due to which he also sustained injury on his head, other co-accused persons also assaulted other family members of the informant.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case due to previous land enmity. There is case and counter case between the parties and both parties have sustained injuries as alleged in separate occurrence. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 63732 of 2023. Petitioners have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 17.01.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed



to be released on bail in connection with Brahmpur P.S. Case No. 883 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar.

(Sunil Kumar Panwar, J)

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