

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26721 of 2024

Arising Out of PS. Case No.-503 Year-2023 Thana- HARSIDHI District- East Champaran

1. BITU MISHRA SON OF NAGENDRA MISHRA RESIDENT OF VILLAGE - CHADRAHIYA, P.S. - HARSIDHI, DISTRICT - EAST CHAMPARAN
2. PANKAJ MISHRA SON OF NAGENDRA MISHRA RESIDENT OF VILLAGE - CHADRAHIYA, P.S. - HARSIDHI, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have abused and assaulted the informant by means of iron rod. Petitioner no.2 assaulted on the head of the informant by means of *farsa*.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed



no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is land dispute between the parties. There is case and counter case between them. It is further submitted that the present case appears to have been brought in existence after procuring fake and fabricated injury report. Petitioners have two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that there is serious allegations against the petitioners to assault the informant, as a result, he sustained grievous injury. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as the nature of the injuries as shown in the injury report, 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 lower Court where the case is pending/successor Court in



connection with Harsidhi P.S. Case No. 503 of 2023, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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