

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28358 of 2024**

Arising Out of PS. Case No.-286 Year-2023 Thana- SARAI District- Vaishali

Vimal Mishra son of Late Sonelal Mishra Village- Mahmabad Ps- SARai  
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                   |
|----------------------------|-----------------------------------|
| For the Petitioner/s :     | Mr. Mritunjay Kumar, Advocate     |
| For the Opposite Party/s : | Dr. Indihar Kumari, A.P.P.        |
| For the Informant :        | Mr. Rajeev Ranjan No-II, Advocate |
|                            | Mrs. Kumari Rupa, Advocate        |
|                            | Ms. Priyanka Kumari, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      21-06-2024                      Heard learned counsel for the petitioner, informant  
and the State.

2. Petitioner seeks regular bail in connection with  
Sarai P. S. Case No. 286/2023 in a case registered for the  
offences punishable under Sections 147, 148, 149, 341, 323,  
302, 379, 504, 506 of the Indian Penal Code.

3. Prosecution case, in brief, is that on the alleged date  
and time of the occurrence, all the F.I.R. named accused persons  
including this petitioner came to the house of the informant and  
abused and assaulted him and his father as a result of which  
father of the informant sustained injuries and died during  
treatment.



4. Learned counsel for the petitioner submits that specific accusation of assault is against co-accused Sumit Kumar. So far this petitioner is concerned, there is general and omnibus allegation. Both parties are own *gotiyas* and due to long standing land dispute between the parties, this false and concocted case has been lodged. There is no specific allegation of assault against the petitioner and he is in custody since 05.01.2024. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Sarai P. S. Case No. 286 of 2023.

**(Prabhat Kumar Singh, J)**

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