

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32948 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- BIHTA District- Patna

Tarun Mishra @ Dara, son of Late Bishnu Mishra @ Late Vishnu Kumar
Mishra, Resident of Chini Mill Bihta, P.S.- Bihta, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Ghanshyam Tiwary, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 86 of 2024, registered for the offences
punishable under Sections 147, 148, 149, 341, 342, 323, 324,
307, 504 and 506 of the Indian Penal Code.

3. Allegedly, the FIR named accused person including
the petitioner alongwith other 12 to 15 unknown persons armed
with various weapons entered in company premises and started
abusing and assaulting the informant and his employees. It is
further alleged that on account of assault some of the employees
of the informant have sustained serious injury.

4. Learned counsel appearing on behalf of the



petitioner contended that the petitioner is having a house just beside the informant's company and, in fact, on account of some dispute with regard to forfeiting the land, the present occurrence has taken place wherein the persons of both the side have entered into a free fight resulting into injuries to persons of both the sides. The petitioner also went to the police station to narrate the entire facts, however, no case could be lodged and in the mean time the present FIR has been instituted. Further submission has been made that even as per the narrations made in the FIR, there is no specific allegation of any overt act attributed to the petitioner. Moreover, all the injuries sustained to the informant and his employees are simple in nature, except the one which is sustained to Satish Kumar Sinha. It is next contended that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four



weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Danapur in connection with Bihta P.S. Case No. 86 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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