

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35343 of 2024

Arising Out of PS. Case No.-352 Year-2021 Thana- BARHARA District- Bhojpur

1. Santosh Mishra Son Of Panchanand Mishra Resident Of Village - Bhusahula, P.S. - Barahara, District - Bhojpur
2. Manoj Mishra @ Manoj Kumar Mishra Son Of Panchanand Mishra Resident Of Village - Bhusahula, P.S. - Barahara, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Barahara P.S. Case No. 352 of 2021 registered for the offences punishable under Sections 341, 323, 379, 504, 506, 34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, when the informant raised objection on fixing peg by accused Panchanand Mishra near his dalan then he was abused and the accused persons indulged in causing assault to him and snatching of golden chain and cash from his shop.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that both the parties are co-villager and next door neighbour and there is a case and counter case between the parties.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submissions that both the parties are agnates, there is a case and counter case between the parties, the present case has been lodged after 18 days of the occurrence and the investigation of the case is still pending, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Barahara P.S. Case No. 352 of 2021 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 learned C.J.M. Bhojpur at Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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