

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39193 of 2024

Arising Out of PS. Case No.-433 Year-2021 Thana- BHORE District- Gopalganj

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Amod Mishra @ Amod Kumar Mishra S/o Shashibhushan Mishra @ Shashi Mishra R/o Village-Dighwa, P.s.-Bhorey, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar Advocate General

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have assaulted the informant by means of butt of pistol. It is further alleged that the petitioner took Rs. 500/- as well as a mobile from the pocket of the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place.



He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. He further submits that the medical report also does not support the prosecution case. Although the nature of injury has been shown as grievous, but the injury stated by doctor does not appear to be grievous in nature. It is further submitted that the similarly situated co-accused have been enlarged on bail by this court vide order dated 17.07.2023 passed in Cr. Misc. No. 29414 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner and the similarly situated co-accused have been granted anticipatory bail by this Court, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending/successor Court in connection with Bhorey P.S. Case
No. 433 of 2021, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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