

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50056 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- ADAPUR District- East Champaran

Arun Mishra, aged about 35 years, Gender- Male, son of Late Jai Prakash Narayan Mishra, resident of village- Barwadih, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP
For the Informant	:	Mr. Bijay Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-09-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Adapur PS Case No.145 of 2024 dated 28.04.2024, instituted for the offence punishable under Sections 447, 448, 323, 324, 325, 307, 354, 379 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence when the informant was at his door then the petitioners along with other co-accused came there and the petitioner assaulted the informant with sharp edged weapon due to which the informant received injury on his head. When the informant's family members came to save him then they were



also assaulted by the accused persons. It is further alleged that the accused persons looted Rs.1,50,000/- and a gold chain from the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that specific allegation against the petitioner is that he assaulted the informant with sharp edged weapon on the head of the informant but the injury report of the informant reveals that he has received lacerated wound on head left side 3" x ½" x skin deep, caused by hard and blunt substance. It is further submitted that both the parties are neighbours. There is case and counter case between the parties. Counter case has been lodged by the wife of the petitioner, namely, Anuradha Mishra, vide Adapur PS Case No.146 of 2024 dated 29.04.2024 for the offence punishable under Sections 341, 323, 324, 354, 379, 504, 509/34 of the Indian Penal Code. Further submission is that co-accused Arvind Mishra @ Arvind Kumar Mishra and Rinki Devi have been granted anticipatory bail by this Court vide order dated 04.09.2024 passed in Cr. Misc. No.57443 of 2024. Lastly, it has been submitted that the petitioner is in custody since 30.04.2024 having clean antecedents.



5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. Learned counsel for the informant submitted that there is specific allegation against the petitioner of assaulting the informant on his head.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Raxaul, East Champaran at Motihari, in Adapur PS Case No.145 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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