

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71162 of 2024**

Arising Out of PS. Case No.-331 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Surendra Mishra @ Surendra Kumar Mishra Son of Late Kishundeo Mishra Resident of Village -Sherpur, PS- Mufassil, District- Saran
2. Radheshyam Mishra @ Radheshyam Kumar Mishra Son of Surendra Mishra Resident of Village -Sherpur, PS- Mufassil, District- Saran
3. Pinki Devi Wife of Ranjit Pandey, D/O- Surendra Mishra Resident of Village -Sherpur, PS- Mufassil, District- Saran
4. Mamta Devi Wife of Surendra Mishra Resident of Village -Sherpur, PS- Mufassil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anjani Parashar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      23-10-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. Petitioners have two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that specific overt act has been attributed against petitioner no. 1.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against petitioners no. 2 to 4, let the above named petitioners no.2 to 4, be released on bail, in the event of their 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) each 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 Mufassil P.S. Case No. 331 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that there is specific overt act against petitioner no. 1, who is said to assaulted the son of the informant and injury



was found grievous in nature, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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