

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81067 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- SIKRAUL District- Buxar

1. Mahendra Mishra S/o Hardheyman Mishra Resident of Village- Jigan, P.S.- Sikraul, District- Buxar
2. Baban Mishra S/o Late Rajendra Mishra Resident of Village- Jigan, P.S.- Sikraul, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha 1, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 191(2), 190, 115(2), 109, 117, 75, 303(2) and 352 of B.N.S., 2023.

3. As per prosecution case, all the FIR named accused persons including the petitioners have assaulted the informant and her son. It is further alleged that they also snatched the gold chain and earring of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity. No such occurrence, in the manner as alleged, has ever taken place. It is further submitted that informant and petitioners are co-villagers and



next door neighbours and dispute is going on between them due to drainage. There is no specific allegation against petitioners rather the allegations are general and omnibus in nature. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that injury on the person of the informant was found to be grievous in nature.

6. Having regard to the facts and circumstances of the case, considering that petitioner no. 1 is an old age person aged about 74 years, let the petitioner nos. 1, 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 Sikraul P.S. Case No.115 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS, 2023.

7. However, considering the nature of injury, I am not inclined to enlarge the petitioner nos.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

priyanka/-

U		T	
---	--	---	--

