

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86547 of 2023

Arising Out of PS. Case No.-878 Year-2022 Thana- BRAHMPUR District- Buxar

Basudeo Mishra @ Vasudeo Mishra Late Baban Mishra Village Dhewani P.S
Brahmpur District Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 337, 379, 504 of the Indian Penal Code.

Prosecution case in nutshell is that while the informant was sitting at his door, petitioner along with other co-accused persons, armed with rod, farsa and iron axe, came there and started assaulting. Allegation against the petitioner is that he assaulted the informant by means of iron rod due to which he sustained head



injury. It is further alleged that co-accused persons assaulted the informant by several means and co-accused Ajay Mishra took his gold chain.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties and both sides sustained injuries as alleged in separate occurrence. There is no repetition of blow. It is further submitted that as per allegation the petitioner has assaulted the informant by iron rod but in injury report, doctor has opined that injury is caused by sharp cut weapon. Moreover, the petitioner is languishing in judicial custody since 31.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioner on bail.
The above named petitioner is directed to be enlarged on
bail in connection with Brahmpur P.S. Case No. 878 of
2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each
to the satisfaction of the learned C.J.M., Buxar.

(Sunil Kumar Panwar, J)

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