

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3707 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- GHATHO District- Samastipur

Munnu Kumar Mishra @ Monu Mishra @ Jhunnu Mishra @ Ashwani Kumar
Mishra S/O Suresh Mishra R/O village - Bahadurpur Armauli , Police Station
- Ghatho , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Ghato P.S.

Case No. 28 of 2024 registered for the offences punishable

under Sections 147, 149, 341, 342, 323, 324, 325, 379,

307, 504 and 506 of the Indian Penal Code read with Section

27 of the Arms Act.

3. The allegation against the petitioner as per FIR

is to assault informant and others along with other co-accused

persons/family members, during the course of occurrence,

also looted articles from the shop of the informant, where



during the occurrence firing was also opened with an intention to cause death of the informant in the background of land dispute.

4. Learned counsel appearing on behalf of the petitioner submitted that admittedly occurrence took place in the background of land dispute, as it appears from the narration of the FIR for which Title Suit No. 78 of 2021 is pending before learned Civil Judge, Senior Division, Dalsingsarai, Samastipur. It is submitted that the allegation of firing is also available against Saurav Kumar Chaudhary, who has been granted anticipatory bail by one of the learned Coordinate Bench of this Court through Cr. Misc. No. 63334 of 2024 dated 06.02.2025 and, therefore, on the ground of parity this petitioner also deserves bail. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent facing general and omnibus allegation as to loot cash of Rs. 60,000-65,000/- from the cash box.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and



by taking note of the fact as similarly situated co-accused namely Saurav Kumar Chaudhary has granted anticipatory bail by one of the learned Co-ordinate Bench as discussed aforesaid, where allegation to open fire also appears general and omnibus against petitioner in the background of land dispute, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Dalsingsarai Samastipur/concerned Trial Court where the case is pending in connection with Ghato P.S. Case No. 28 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

