

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15079 of 2025

Arising Out of PS. Case No.-626 Year-2023 Thana- PIRBAHOR District- Patna

1. Ashok Kumar Mishra Son of Late Gulab Mishra village- General book Agencies, Ashok Rajpath P S- Pirbahore, Dist- Patna
2. Vijay Kumar Mishra Son of Late Gulab Mishra village- General book Agencies, Ashok Rajpath P S- Pirbahore, Dist- Patna
3. Bijay Kumar Mishra Son of Late Gulab Mishra village- General book Agencies, Ashok Rajpath P S- Pirbahore, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishi Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2025

Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 384, 504/34 of the Indian Penal Code.

3. As per prosecution case, the informant namely Sanjay Kumar alleged that after his tenant's death, his three sons took illegal possession of the shop and failed to pay the outstanding rent of Rs. 11,18,000/- as of 06.01.2021 and also refused to vacate the premises. It is further alleged that on 18.08.2023 at about 6:00 P.M., the accused persons abused and threatened the informant and demanded Rs. 5,00,000/- to vacate



the shop.

4. Learned counsel for the petitioners submits that dispute arises out of landlord-tenant relationship. Informant is landlord and petitioners are *bona fide* tenants of the shop of informant. As a matter of fact, in order to oust these petitioners from the shop, this false and concocted case has been lodged. Earlier, the informant disconnected the electricity for which petitioners have moved before the House Controller, Patna in B.B.C. *vide* Appeal No. 5/2018 and only after the order of learned Appellate Court, District Magistrate, Patna the electricity connection was restored. Allegation against the petitioners is general and omnibus and there is no specific allegation of any overt act against them.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioners.

6. Considering the aforesaid facts and circumstances and nature of injury is simple in nature, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, let the above named petitioners, in the event of their arrest /surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like



amount each to the satisfaction of learned A.D.J.-16, Judge at Patna in connection with Pirbahore P.S. Case No. 626 of 2023, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Ranjeet/-

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