

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21662 of 2025

Arising Out of PS. Case No.-512 Year-2024 Thana- DARAUNDA District- Siwan

Raj Bhushan Mishra S/o- Late Shiv Pujan Mishra Resident of village and PO
and PS- Jhajhawa Dist- Siwan Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mrs. Anita Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2025 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Daraunda P.S. Case No. 512 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 305, 305(2), 329(3), 329(4), 109(1), 351(3), 352, 3(5) of BNS, 2023.

3. The allegation against petitioner is to assault informant and others causing head and bodily injuries by using iron rod and with butt of pistol etc., where assault alleged to be caused with an intention to cause death of the informant and others.



4. It is submitted by learned counsel appearing on behalf of the petitioner that for same set of occurrence petitioner side has also lodged a case prior to this case which has been registered as Daraunda P.S. Case No. 511 of 2024 dated 08.11.2024. It is submitted that occurrence appears free fight in nature, where both parties received injuries. In support of his submission learned counsel further pointed out that the alleged injury as received by informant, caused by petitioner, upon medical examination found simple in nature, negating *prima-facie* intention to cause death. It is also pointed out that nature of injury not suggesting *prima-facie* that same may likely to cause death of injured/ informant. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as occurrence *prima-facie* appears free fight in nature, where upon medical examination



injury as alleged to be caused by this petitioner upon informant found simple in nature negating *prima-facie* intention to cause death, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks of this order, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Siwan /concerned Court, where the case is pending in connection with Daraunda P.S. Case No. 512 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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