

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25903 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- SIRISIYA District- West Champaran

Basant Mishra @ Basant Kumar Mishra S/o Rajdeo Mishra R/o Vill.- Sirsiya,
Ward No. 08, P.S.- Sirsiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the State : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sirsiya P.S. Case No. 73 of 2024, dated 17.09.2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 324(4), 352, 76 and 3(5) of B.N.S., 2023.

3. As per allegation, on account of land dispute, altercation took place between the two sides, leading to simple injury on both the sides and filing of case and counter case.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is case and counter case filed by both the sides and case filed by the petitioner's side is Sirsiya



P.S. Case No. 74 of 2024, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 303(2), 352 and 3(5) of B.N.S., 2023

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. In view of the nature of allegation and case and counter case, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Sirsiya P.S. Case No. 73 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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