

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32041 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- CHAPRA TOWN District- Saran

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1. Rajendra Kumar Mishra @ Rajendra Mishra SON OF BINOD MISHRA R/O- VILL- MAA , P.S- CHAPRA MUFFASIL, DISTT- SARAN AT CHAPRA (BIHAR)
 2. PANKAJ KUMAR MISHRA SON OF RAJENDRA KUMAR MISHRA @ RAJENDRA MISHRA R/O- VILL- MAA , P.S- CHAPRA MUFFASIL, DISTT- SARAN AT CHAPRA (BIHAR)
 3. NAVEEN MISHRA @ NAVIN KUMAR MISHRA SON OF RAJENDRA KUMAR MISHRA @ RAJENDRA MISHRA R/O- VILL- MAA , P.S- CHAPRA MUFFASIL, DISTT- SARAN AT CHAPRA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jagannath Singh, Adv. Mr. Rakesh Kumar, Adv.
For the State	:	Mr. Binod Kumar, APP.
For the Informant	:	Mr. M. N. Parbat, Sr. Adv. Mr. Ved Prakash Srivastava, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 15-05-2025 Heard learned counsel for the petitioners, learned APP for the State and learned senior counsel appearing for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 504, 506, 34 of the Indian Penal Code.

3. The allegation levelled in the FIR against the petitioners is that they, after entering the premises of Chapra Court where the informant is on the post of Court Master in the Special Excise Act Court, indulged in hurling abuses at him and



also assaulting by way of fists and slaps. They even tried to use the informant's muffler to strangle him. It has further been alleged that when the father of the informant came in his defence, he was also assaulted by means of slaps.

4. Learned counsel for the petitioners submits that the allegations levelled in the FIR are not correct and as a matter of fact, the entire case arises out of a matrimonial dispute between the parties as the daughter of petitioner no.1 filed a case under Section 498A of the IPC against the informant and his family. It is due to such strained matrimonial relationship between the parties and their families that the present case has been filed with false allegations. It is also submitted that on the last occasion, a report had been called for from the Court of the District and Sessions Judge, Saran at Chapra with regard to the said incident and the report is available on record, a perusal of which would show that the Court Manager of the Civil Court, Saran at Chapra reported to the Principal District and Sessions Judge, Saran at Chapra that no such matter having taken place on 18.01.2024 in the Court premises was ever in his knowledge or reported to him earlier.

5. Learned APP for the State as well as learned senior counsel appearing for the informant, however, vehemently



opposes the prayer for anticipatory bail and it is submitted by learned counsel for the informant that this is the high-handedness of the petitioners that they had audacity to enter the Court premises and tried to assault the informant, who is a Court staff. However, learned counsel for the petitioners, in response, submits that no one has sustained any injury in the said transaction even if the prosecution case is to be believed and so far as the criminal antecedent of the petitioners is concerned, which is pointed out by learned senior counsel appearing for the informant, it has been submitted that most of the cases mentioned in para 3 of the bail application, from sub-clause (ii) to sub-clause (v), have been lodged by the informant, his relatives and his acquaintance and only one case has been lodged by an unconnected person, however, the petitioners are on bail in all these cases.

6. Considering the above-mentioned facts and circumstances, I am inclined to grant the privilege of anticipatory bail to the petitioners. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 the learned lower



Court where the case is pending/successor Court in connection with Chapra Town P.S. Case No.30 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

7. However, the petitioners are directed to co-operate in the process of investigation and also in the trial proceedings.

(Soni Shrivastava, J)

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