

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35674 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- BIRAUL District- Darbhanga

Parmanand Mishra S/o Late Ram Vilas Mishra R/o Village-Kahua, P.S.-
Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritwik Thakur, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 84/2025 registered for the offences under Sections
191(1), 127(1), 115(2), 109, 303(2), 324, 352, 351(2) of the
Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant namely
Saroj Kumar Jha in his written report has alleged that the named
accused persons including the petitioner came with lathi, danda
and iron rod and entered the office of the informant and started
assaulting. It is further alleged that one Shailendra Mishra has
assaulted the informant with iron rod while one Rohit Mishra
has assaulted with iron rod causing injury to the informant-side
and as far as the petitioner namely Parmanand Mishra is



concerned, it has been alleged that he had snatched a golden chain from the neck of the informant. It has lastly been submitted in the FIR that the injured persons were taken to the Primary Health Center and subsequently referred to the D.M.C.H, Darbhanga.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to land dispute in which the informant was attempting to carry out construction, which was opposed by the petitioner and others. Learned counsel further submits that there is general and omnibus allegations against the named accused persons regarding the assault on the informant and others. As far as the specific allegation against the petitioner is concerned, it pertains to the alleged snatching of the gold chain of the informant. However, no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has clean antecedent and is in custody since 28.03.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner had formed unlawful assembly and had assaulted the informant and others.



6. Considering the aforesaid facts and circumstances of the case and taking into account that there is no specific allegation of assault on the petitioner and also keeping in view that the petitioner has clean antecedent, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Biraul, Darbhanga in connection with Biraul P.S. Case No. 84/2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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