

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87722 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- ISHUPUR BARAHAT District-
Bhagalpur

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1. Tarun Kumar Mishra S/O Late Kamleshree Mishra Resident of Village-
Daulatpur, P.S.- Ishipur Barahat, District- Bhagalpur.
 2. Vinita Mishra @ Chunna Devi W/O Sri Tarun Kumar Mishra Resident of
Village- Daulatpur, P.S.- Ishipur Barahat, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard Ld. counsel for the petitioners and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with Ishipur
Barahat P.S. Case No. 115 of 2024 dated 13.06.2024, registered
for the offences punishable under Sections 341, 323, 325, 307,
354, 379 and 504/34 of the Indian Penal Code.

3. As per the allegation, the accused persons including
the petitioners assaulted the informant.

4. Ld. counsel for the petitioners submits that the
Petitioners are innocent and have falsely been implicated in this
case. He further submits that in fact, there was altercation and



free fight between the parties leading to case and counter case. He further submits that a case filed by the accused side against the informant side bearing Ishipur Barahat P.S. Case No. 116 of 2024 has been registered for the offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have 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 petition that the petitioners have one criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the case and counter case, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate-Ist Class, Bhagalpur in connection with Ishipur Barahat P.S. Case No. 115 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the



following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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