

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3315 of 2025

Arising Out of PS. Case No.-251 Year-2021 Thana- BENIPATTI District- Madhubani

Ram Briksha Mishra Son of Late Sajivan Mishra @ Ram Sajivan Mishra
Resident of Village- Barri, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 05-08-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Benipatti P.S. Case no.251 of 2021 registered under
Sections 307, 348, 341, 323, 380, 504, 506 and 34 of the Indian
Penal Code.

3. The allegation in the F.I.R is that on denial by the
informant to withdraw the previous case, the petitioner assaulted
the informant by means of *lathi* and further assaulted the mother
of the informant by means of axe on her head and also on her
hand.

4. Learned counsel for the petitioner submits that the
petitioner and the informant are the *gotiyas* and on account of
dispute between the parties, the petitioner along with their family
members have been made accused in this case. The very
narration of the offence in the F.I.R being once an allegation
on the petitioner of assaulting the informant by means of



lathi and on the very next moment, there is an assault by axe, the same cannot be reconciled. Further, injury reports of the informant and his mother show that the injuries are simple in nature caused by hard and blunt object and hence, the medical evidence does not corroborate the oral allegations. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the entire facts and circumstances of the case, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Benipatti P.S. Case no.251 of 2021 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 Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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