

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82185 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Amit Mishra @ Amit Kumar Mishra S/o- Prem Shankar Mishra Resident of
village- Nibi, PS-Chand, Dist- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 87418 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Chandan Mishra S/O Mohan Mishra R/O Village- Nibi, P.S- Chand, District -
Kaimur(Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 82185 of 2025)

For the Petitioner/s : Mrs. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP
For the Informant : Mr. Sudama Singh, Advocate
Mr. Surendra Kr. Mishra, Advocate
Mr. Shashikant, Advocate

(In CRIMINAL MISCELLANEOUS No. 87418 of 2025)

For the Petitioner/s : Mr. Harsh Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP
For the Informant : Mr. Sudama Singh, Advocate
Mr. Surendra Kr. Mishra, Advocate
Mr. Shashikant, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 18-03-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners have prayed for regular bail in
connection with Chand P.S. Case No. 84 of 2024 instituted for



the offence under Sections 341, 302, 504, 506 and 34 of the IPC and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant was raising a boundary on his field along with his brother Ajit Mishra and father Lalan Mishra. At that time, petitioners arrived there and there was hot talk between them. After that, it is alleged that when the informant party objected, Mohan Mishra and Prem Shankar Mishra order the petitioners along with other to kill, on this, Munnan Mishra, Amit Mishra, Ajay Mishra and Chandan Mishra have fired with their arms and the gun shot hit brother of the informant Ajit Mishra @ Dimpu who fell down and ultimately, he succumbed to the injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that the petitioners are in judicial custody since 24.05.2025 and 12.06.2025 respectively. It has further been submitted that from perusal of the order sheet of the learned trial court, it will transpire that the bail bonds of the informant of this case was cancelled in the counter case and that they are not appearing in the learned trial court, that is why, the trial is hampered. He has further submitted that from perusal of the FIR, it is clear that



there are four assailants and from perusal of the postmortem report, it will transpire that the doctor conducting the autopsy of the deceased has found three entry wounds, blackening of left eye and graze abrasion 2cm x 1cm tip of right thumb. He has further submitted that there are four assailants and only three entry wounds were found this creates doubt and all the accused persons can't be fastened with the responsibility of firing as there are only three entry wounds. He has further submitted that Munnan Mishra having similar nature of allegation has been granted bail by this court vide Cr. Misc. No. 15484 of 2026.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for regular bail of the petitioners. Learned counsel for the informant has submitted that admittedly there is case and counter case and from perusal of the postmortem report, it will transpire that though there are three entry wounds and four persons have made firing but it is not denied that firing was made by four persons. It is not clear from the FIR as to whose gun shot injury missed the deceased. He has also submitted that as far as parity with the case of Munnan Mishra is concerned, these petitioners have not got parity with the case of Munnan Mishra as Munnan Mishra has also received gun shot injury and



his period of custody differs from these petitioners. He has also submitted that he will cooperate in trial and shall make every endeavour to get the trial concluded at the earliest.

7. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, I am not inclined to enlarge the petitioners on bail at this stage and, as such, their prayer for bail stand rejected.

8. However, the petitioners will be at liberty to renew their prayer for bail after six months if the trial is not concluded.

9. Learned trial court is directed to expedite the trial and conclude the same within the period as stated above.

10. Learned counsel for the informant is also directed to cooperate in trial so that trial may be concluded at the earliest.

(Ashok Kumar Pandey, J)

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