

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9451 of 2015

Arising Out of PS.Case No. -154 Year- 2014 Thana -JADIA District- SUPAUL

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1. Buchchi Mehta @ Raghunandan Mehta S/o Late Shri Mehta
2. Pradeep Mehta
3. Kuldeep Mehta @ Kuldeep Kr. Mehta Both sons of Buchchi Mehta @
Raghunandan Mehta All are resident of village - Jadia, P.S. Jadia, District -
Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307 and 504 of the Indian Penal Code.

It is alleged that the accused persons were taking tractor loaded with compost to the land of the informant which was protested then petitioner no.1 assaulted the informant with iron rod causing fracture injury on the left hand elbow whereas it is alleged that petitioner no.3 assaulted with farsa to Manju Devi.

It is submitted by learned counsel for the petitioners that in the background of dispute with regard to taking of the tractor to the land of the informant, the assault was first made by the

informant's side. There is counter version of the occurrence also and petitions' side also received injuries. Petitioner no.3 is alleged to have assaulted Manju Devi with farsa when lacerated injury has been found on the scalp. Moreover, the ex-ray plate of petitioner no.1 has been used for giving injury report of Manju Devi which suggests the mechanical of the medical in which the injury report has been prepared by the doctor.

It is submitted by learned counsel for the informant that the injuries of informant and Manju Devi have been found to be grievous whereas the injuries of petitioners' side have been found to be simple.

This Court is not inclined to grant anticipatory bail to the petitioner no.1 who is alleged to have caused grievous injury to the informant.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks.

Since there is no specific accusation against petitioner nos. 2 and 3, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount

each to the satisfaction of the learned S.D.J.M., Supaul in connection with Jadia P.S. Case No. 154 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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