

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20728 of 2016

Arising Out of PS.Case No. -41 Year- 2014 Thana -SONBERSA District- SAHARSA

Jhakas Mehta @ Amrendra Kumar Mehta son of Late Adhin Mehta resident of Village - Sukhasani P.S. - UdaKishunganj, District - Madhepura. At Present Village - Sukhasani (Barahi) OP - Kash Nager, P.S. - Sonbarsa Raj, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Parmeshwar Mehta, Advocate.

For the Opposite Party/s : Mrs. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-07-2016

Heard both sides.

The petitioner apprehends his arrest in Sonbarsa P.S.

Case No. 41 of 2014 registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is named in the F.I.R. The widow of the deceased alleged that Rajiv Sah, Jhakas Mehta (the petitioner) and others killed her husband and threw his dead body in a maize field.

Sri Parmeshwar Mehta, learned counsel for the petitioners, submits that, of course, the petitioner is named in the FIR but there is no specific allegation against the petitioners. Co-accused Sulendra Mehta has already been granted anticipatory bail vide order passed in Cr. Misc. No. 10392/2015, but it appears that

the informant and his family members have very categorically stated that the petitioners and others killed the deceased and threw his dead body in a maize field. On similar allegation, the anticipatory bail petition of Ravin Yadav @ Ravindra Yadav was rejected by the order passed in Cr. Misc. No. 48884/2014. The case of the petitioner also stands on the same footing.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Sonbarsa P.S. Case No. 41 of 2014, G.R. No. 508/2014. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the court below shall consider the prayer for regular bail of the petitioner taking into consideration that co-accused Ravin Yadav @ Ravindra Yadav has already been granted regular bail.

(Prabhat Kumar Jha, J)

Dilip/-

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