

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12552 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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1. GAJENDRA MEHTA @ GAJENDRA KR. MEHTA @ GAJENDRA MAHTO S/o Balo Mehta,
2. Balo Mehta S/o-Late Shrichandra Mehta,
3. Sachin Mehta @ Sachin Mehta S/o Balo Mehta,
4. Damodar Mehta S/o-Late Shrichandra Mehta,
5. Debu Mehta @ Deonarayan Mehta S/o-Late Shrichandra Mehta,
6. Dulichandra Mehta S/o-Late Saryug Mehta, all Resident of Village-Parsagarhi (South),Tola Harinaha, 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. Nafisuzzoha

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-03-2017 The petitioners are apprehending their arrest in connection with Supaul Mahila P.S. Case No. 114 of 2016, registered for offences punishable under Sections 147, 149, 342, 323, 379, 376, 511, 506, 354(B) and 504 Indian Penal Code.

It has been submitted on behalf of the petitioners that prior to filing of the present case by the informant, wife of petitioner no. 2 had already filed a case against the son of informant and only due to which the present false case has been lodged against these petitioners. Further falsity of the case will appear that both petitioner no. 1 and petitioner no. 2, who are father and son had tried to commit rape on her, which shows the



absurdity of the case.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that prior to filing of present case the wife of petitioner no. 2 had filed the case against the son of the informant, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Supaul, in connection with Supaul Mahila P.S. Case No. 114 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on



the event of failure on their part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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