

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47629 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -MAHESHKHUNT District- KHAGARIA

- =====
1. Munchun Mehta @ Bulu Kumar Mehta @ Munchum Mehta
 2. Rabin Mehta @ Rabin Kumar Both sons of Rajendra Mehta resident of village Phulout Police Station Chousa District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivnandan Sah

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 18-01-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Maheshkhunt P.S. Case No. 35 of 2015 for the offences punishable under sections 323, 386, 379 and 34 of the I.P.C.

The petitioners are named in the First Information Report which is based on the complaint petition with the allegation that the petitioners after showing fear of firearm took away motorcycle of the informant. During investigation it has come that petitioner Munchun Mehta took away the motorcycle and there is some dispute between the informant and the petitioner



Munchun Mehta.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioners, the real fact is that the wife of the informant who is sister of the petitioner wanted her share from them and due to some difference between the sister and brother the informant, husband of the sister of the petitioners, has lodged this false case against them, during investigation the witnesses vide paragraphs- 8 and 9 have stated regarding the dispute between the parties and no one has supported that the petitioners took away motorcycle of the informant after showing fear of firearm.

The learned A.P.P. submits that the witnesses vide paragraphs- 7, 8 and 9 have supported the allegation and the informant in further statement has also supported the same.

In the facts and circumstances as stated above, considering that the occurrence is of 10.12.2014, whereas, the complaint petition was filed on 19.12.2014 without any explanation for the delay, during investigation it has come that there is differences between the informant and the petitioners and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Khagaria in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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