

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1058 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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1. Sudama Mehta, S/o Thakur Prasad Mehta.
2. Raghunandan Mehta, S/o Sukho Mehta.
3. Sanjay Paswan, S/o Dhaneshwar Paswan. All are resident of Village-
Gosai, P.S. - K. Nagar (Maranga), District- Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. N.K. Agarwal, Sr. Advocate and Mr.
Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are languishing in custody since
01.12.2016 in connection with K. Nagar (Maranga) P.S. Case No.
345 of 2016 for the offences instituted under Sections 147, 148,
149, 341, 323, 324 and 307/34 of the IPC.

The prosecution story, in brief, is that on 01.10.2016 at
about 4.30 hours, when the informant's husband was going to see
his paddy crop then all the accused persons including 4/5
unknown persons armed with weapons prevented him and Chulho
Paswan pressed the throat with *Gamchha* and all the accused
persons assaulted him with *Lat-Mukka* and Hatta Mehta with
intention to kill her husband assaulted him with iron rod due to



which his arm and leg were fractured. The accused persons due to land dispute always threatened him.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 01.12.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. They have falsely been implicated in the present case. No specific injury has been caused by the petitioners. The main allegation of assault is against the co-accused namely, Hatta Mehta, who has caused three grievous injuries on the vital part of the body of the husband of the informant.

On behalf of learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R. and have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Purnea, in connection with K. Nagar (Maranga) P.S. Case No. 345/2016.

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(Sudhir Singh, J)

