

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59896 of 2018

Arising Out of PS.Case No. -275 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Pulish Mehta, S/o Bisheshwar Mehta.
 2. Gopal Yadav, S/o Bishundeo Yadav.
 3. Deepak Yadav @ Deepak Kumar Yadav, S/o Gopal Yadav.
 4. Ramkisun Singh @ Ramkishun Mehta S/o Late Adhiklal Mehta.
 5. Mannu Kumar @ Mannu Mehta @ Mannu Kumar Mehta, S/o Ram Kishun Mehta @ Ramkisun Singh.
 6. Kesi Mehta, S/o Sohan Mehta @ Soman Mehta.
 7. Manohar Kumar @ Manohar Mehta @ Manohar Kumar Mehta, S/o Pulish Mehta, All resident of Village- Fulout, P.S. Chousa (Fulout O.P.), District- Madhepura.

.... 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. Sri Jai Narain Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Chousa (Fulout) P.S. Case No. 275 of 2017 for offences alleged under Sections 341, 323, 385, 386, 504, 506, 427/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is



that a Jalkar was settled in his favour along with one Paro Choudhary and a patta was issued in their favour but forcibly the petitioners along with three others started fishing in the jalkar settled in their favour and on 29.09.2017 four persons including co-accused Paro Choudhary variously armed with lathi, danda and pistol came and demanded Rs. 50,000/- and on objection, they started fishing from the jalkar and took away the fishes.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that on firing by the petitioner no. 5 the informant did not sustain any injury and that no case under Section 386 of the IPC is made out as the informant had paid no Rangdari. He submits that the petitioners are villagers and on account of being on inimical terms they have been made accused in the present case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, 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 learned Sub-Divisional Judicial Magistrate, Udakishunganj at Madhepura, in connection with Chousa (Fulout) P.S. Case No. 275 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

Devendra/Priyanka

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