

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72246 of 2018**

Arising Out of PS. Case No.-17 Year-2018 Thana- DHIBRA District- Aurangabad

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1. Vijay Mehta, Son of Late Sukan Mehta,
  2. Raj Kumar Mehta, Son of Bechan Mehta,
  3. Binod Mehta
  4. Pramod Mehta, 3 & 4 Sons of Raj Kumar Mehta, All resident of Village- Ban Bishunpur, P.S.- Dhibra, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha  
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      05-12-2018                      Counsel for the petitioners seeks permission to withdraw the present application as the petitioners No.2, 3 and 4 have been taken into judicial custody.

Permission is accorded.

The application on behalf of petitioners No.2, 3 and 4 is dismissed as withdrawn.

Heard learned counsel for the petitioner No.1 and learned APP for the State.

The petitioner No.1 is apprehending his arrest in a case registered under Sections 341, 342, 323, 234, 325, 307, 504/34 of the Indian Penal Code.

Allegation is that the while the informant was working in his field, the accused persons assaulted the informant and other



inmates of the house with lathi.

It has been submitted on behalf of the petitioner No.1 that the petitioner No.1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.1. The petitioner No.1 has falsely been implicated in the present case. There is no allegation of assault against the petitioner No.1 nor any specific over act has been alleged against him. The allegation of assault is alleged against co-accused Raj Kumar Mehta, Binod Mehta, Pramod Mehta, Surendra Mehta and Deepak Mehta.

On behalf of the State, it is submitted that the petitioner No.1 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.1, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Aurangabad in connection with Dhibra P.S. case No.17 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

**(Sudhir Singh, J)**

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