

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17001 of 2018

Arising Out of PS.Case No. -436 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Manish Mehta @ Manish Kumar
 2. Sanjay Mehta both Sons of Upendra Mehta R/o Village- Andauli, P.S. Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 05-04-2018 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 Sour Bazar P.S. Case No. 436 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 384, 307, 379, 504 and 506 of the I.P.C.

Allegedly, the petitioners assaulted Hare Ram Mehta, the father of the informant, by means of iron rod resulting he fell down and when the informant went to see his father other co-accused surrounded and abused him and snatched Rs. 500/- from his pocket and wrist watch.

Submission is of false implication and that there is case and counter case, the petitioner no.1 Manish Mehta @ Manish Kumar has lodged Sour Bazar P.S. Case No. 435 of 2017



against the father of the informant and other family members, this case is counter blast of that case, there is land dispute between the parties, proceedings under sections 107, 144 and 145 of the Cr.P.C were also started, the allegation of demanding rangdari is totally false, the injury found on the injured persons are simple in nature except injury no.1 which is grievous in nature and that is not on the vital part of the body, the petitioners have no criminal antecedents and there is no chance of their absconding and as such they deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances stated above, considering that there was free fight between the parties, the case lodged by petitioner no.1 is earlier to this case and as such the petitioners, in case of their arrest or surrender within a period of 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, Saharsa in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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