

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42986 of 2018

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1. Upendra Mehta S/o Late Kari Mehta, R/o Vill.- Andauli, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. 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. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Sour Bazar P.S. Case No. 436/2017, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 384, 307, 379, 504 and 506 of the Indian Penal Code.

In the written report, there is allegation against this petitioner that he abused the informant and showed licensee rifle and directed to pay *rangdari* or Rs. 5,000/- or to vacate the land.

Learned counsel for the petitioner has submitted that the occurrence has taken place on account of land dispute. There is allegation of assaulting the father of informant against co-accused Sanjay Mehta and Manish Mehta with iron rod. Both of them have already been granted anticipatory bail by a Co-ordinate Bench of



this Court vide order dated 05.04.2018 passed in Cr. Misc. No. 17001/2018.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Sour Bazar P.S. Case No. 436/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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