

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16477 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- Kutumba District- Aurangabad

1. Rajendra Mehta , S/o Mudarik Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
2. Mukesh Kumar Mehta S/o Satyanarayan Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
3. Lakhan Mehta @ Lakhna Mehta @ Lalan Mehta S/o Mundrika Mehta @ Munarik Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
4. Karun Mehta @ Arun Kumar Mehta S/o Lalu Mehta @ Lallu Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
5. Ganesh Ram S/o Late Ramsharan Ram @ Ramswaroop Ram Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
6. Nishikant Pathak @ Chotu S/o Upendra Pathak Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
7. Bindhyachal Prasad Sinha @ Bindhayachal Sinha @ Bindheyachal Prasad S/o Ramdeo Lal Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
8. Rajaram Paswan @ Rajaram S/o Kailash Paswan Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
9. Baban Mehta S/o Sukhdeo Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
10. Keshwar Mehta S/o Radha Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
11. Mathura Mehta @ Mathura Prasad Mehta S/o Sukhdeo Mehta @ Kauleshwar Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
12. Satyanarayan Mehta S/o Mundrika Mehta Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
13. Janeshwar Paswan @ Jageshwar Paswan S/o Ramjatan Ram @ Ramratan Ram Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.
14. Satyendra Paswan S/o Chalitar Paswan Resident of Village-Matpa, P.S-Kutumba, District-Aurangabad.



... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2019 Heard the learned counsel for the petitioners and
the State.

The petitioners seek bail in anticipation of their arrest in connection with Kutumba P. S. Case No. 160 of 2018 dated 09.09.2018 instituted for the offences under Sections 147, 148, 149, 323, 337, 338, 307, 504, 506 and 153(A) of the Indian Penal Code.

An F.I.R. has been registered against the petitioners and others for having prevented the burial of a dead person and rendition of Namaz at the time of burial. The accused persons including the petitioners are alleged to have created pandemonium and chaos, and also made attempts at destroying the burial ground.



Learned counsel for the petitioners has submitted that an absolutely false case has been instituted by the informant against the members of a different religious community.

There was a dispute with respect to the land of the temple and the burial ground.

The other side of the story is that a dead body was kept in front of a Sun temple, which was protested by the followers of a particular religion. This led to altercation in which the burial ground was disturbed and some of the persons were injured.

However, later with the intervention of the police and local persons, the dispute was settled.

The accusation against the petitioners is general and omnibus in nature.

Considering the afore-stated facts viz the general and omnibus nature of accusation against the petitioners and their bearing clean antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from



the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Kutumba P. S. Case No. 160 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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