

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21249 of 2019

Arising Out of PS. Case No.-227 Year-2018 Thana- CHAUSA District- Madhepura

VIJENDRA MEHTA, aged about 43 years, Sex-Male, Son of Late Bhola Mehta, Resident of Village-Paina Bhola Basa, P.s.- Chausa, Distt.- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vikramdeo Singh and Mr. Ranjeet Kumar
Singh, Advocate.

For the Opposite Party : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 28.11.2018 in a case for the offence registered under Sections 302, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 29.08.2018 at about 5.30 P.M. in the evening, the informant, his brother Md. Nasrul (now deceased) were returning to the house from Diwantola Chanda by separate Motorcycle together after purchasing vegetables. On the way, the petitioner Vijendra Mehta alongwith other F.I.R. named co-accused persons surrounded the brother of informant, namely, Md. Nasrul and co-accused Manish Kumar and the petitioner Bijendra Mehta



caught hold of his right-left hand by both of them. Co-accused Dharmdeo Singh is alleged to have ordered to kill him, upon which, co-accused Sunil Singh, Sanjay Singh, Pawan Singh opened fire from their firearms, resultantly, Md. Nasrul succumbed on the spot caused by firearms injuries. While the informant and his nephew Sheikh Ziyaul tried to raise alarm, the accused persons started making firing over them but both made a narrow escape from there. The occurrence took place due to transaction of money in between the petitioner Vijendra Mehta and the deceased Md. Nasrul in partnership business of brick-kiln.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. The main allegation of assault is alleged against co-accused Sunil Singh, Sanjay Singh and Pawan Singh. As far as petitioner is concerned, no allegation of assault is alleged against him.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned S.D.J.M.
Uda-Kishunganj, Madhepura, in connection with Chausa P.S.
Case No. 227 of 2018.

(Sudhir Singh, J)

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