

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1602 of 2019

Arising Out of PS. Case No.-495 Year-2017 Thana- SAUR BAZAR District- Saharsa

1. NITISH MEHTA, Son of Bilas Mehta Resident of Village - Bandha, P.S.- Murliganj, Distt.- Madhepura.
2. Suresh Mehta, Son of Rasiklal Mehta Resident of Village - Bandha, P.S.- Murliganj, Distt.- Madhepura.
3. Subhash Mehta, Son of Upendra Mehta Resident of Village - Bandha, P.S.- Murliganj, Distt.- Madhepura.
4. Anil Mehta, Son of Chhoti Mehta Resident of Village - Bandha, P.S.- Murliganj, Distt.- Madhepura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Naresh Chandra Verma
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 24-04-2019 Heard learned counsel for the appellants and learned counsel for the State.

This appeal is filed for grant of pre-arrest bail to the appellants against the order dated 02.02.2019 passed by the Additional Sessions Judge-III-cum-Special Judge, S.C./S.T. (P.O.A.) Act, Saharsa in A.B.P. No. 74 of 2019 arising out of Saur Bazar P.S. Case No. 495 of 2017, registered for the offences punishable under sections 341, 323, 324, 379, 354, 307, 435, 504/34 of the Indian Penal Code and sections 3(i)(r)(s) (u) of the S.C./S.T. (P.O.A.) Act, whereby and whereunder prayer for pre-arrest bail of the appellants have been rejected.



Submission of learned counsel for the appellants is that appellants have no criminal antecedent. They are innocent and have falsely been implicated in this case. Further submission is that there is case and counter case for the alleged land disputes.

Heard learned Special P.P.

Having heard learned counsel for the parties and in the facts and circumstances of the case, let the above named appellants be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Session Judge-III-cum-Special Judge, S.C./S.T. Act, Saharsa in connection with A.B.P. No. 74 of 2019 arising out of Saur Bazar P.S. Case No. 495 of 2017, subject to the conditions as laid down under section 438(2) of Cr. P.C.

Accordingly, the appeal is allowed and the impugned order dated 02.02.2019 is set aside.

(Arvind Srivastava, J)

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