

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75526 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- BIHARIGANJ District- Madhepura

1. Navin Mehta and Ors S/o Akhilesh Mehta.
2. Upendra Mehta.
3. Surendra Mehta.
4. Gajendra Mehta, All Sons of Late Palakdhari Mehta.
5. Akhilesh Mehta.
6. Khagesh Mehta, Both sons of Late Mahadeo Mehta, all residents of Village- Mohimdih, P.S- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Bihariganj P.S.Case No. 187 of 2018, registered for offences punishable under Sections 323, 341, 307, 354-A, 379, 504/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioners is that the petitioners came with variously armed with weapons and assaulted the informant and when his son came to rescue him, then all the petitioners assaulted him and particularly petitioner No. 5 inflicted with farsa blow, causing fracture of the head and right hand of the son of the informant.



Submission of the learned counsel for the petitioners is that the petitioners have committed no offence and they have falsely been implicated in this case due to land dispute.

Heard learned A.P.P., who opposed the prayer for bail on the ground that the petitioner No. 5 inflicted with farsa blow, causing fracture of the head of the informant, which is very serious and heinous act.

In view of the case of the petitioner No. 5 is concerned, I am not inclined to grant bail to him, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

So far as the case of all the petitioners as mentioned above, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 1st class, Udakishunganj at Madhepura in connection with Bihariganj P.S.Case No. 187 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with conditions that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

sudha/-

U		T	
---	--	---	--

