

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.252 of 2020

Arising Out of PS. Case No.-1920 Year-2017 Thana- COMPLAINT CASE District- Araria

1. Dewanjee Mehta Son of Kanchan Mehta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.
2. Sonarwati Devi Dewanjee Mahta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.
3. Upendra Mehta Son of Dewanjee Mehta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.
4. Ram Lochan Mehta Son of Dewanjee Mehta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.
5. Saraswati Devi W/o Upendra Mehta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.

... .. Petitioners

Versus

1. The State Of Bihar
2. Nirmala Devi W/o Jitto Mehta Resident of Village - Bela, Ward No.03, P.S.- Narpatganj (Ghurna), Distt.- Araria.

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party	:	Mr.Satyendra Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 379 and other allied sections of the Indian Penal Code.

Petitioners are alleged to have assaulted the complainant and her family members, they also took out Rs.40,000/- from her box and the ornaments.

Defence of the petitioners is that the instant case has been lodged after lapse of fifteen days without explanation. Petitioner no.1 and husband of the complainant are full brothers and due to land dispute, the instant case has been lodged. Court



has taken cognizance for the offence under sections 147, 323, 354 and 379 of the Indian Penal Code.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate V, Araria in Complaint case no.1920C/2017, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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