

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6187 of 2020**

Arising Out of PS. Case No.-134 Year-2019 Thana- NARPATGANJ District-
Araria

- =====
1. KIRISH KUMAR MEHTA @ KRISHNA KUMAR MEHTA Son of Panchlal Mehta Resident of Village-Bela, Ward No.3, P.S-Basmatiya, O.P, District-Araria.
 2. Ramkumar Mehta Son of Panchlal Mehta Resident of Village-Bela, Ward No.3, P.S-Basmatiya, O.P, District-Araria.
 3. Madhu Devi Wife of Krishna Kumar Mehta @ Kish Kumar Mehta Resident of Village-Bela, Ward No.3, P.S-Basmatiya, O.P, District-Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate.

For the Opposite Party/s: Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 354(B), 427, 504/34 of the Indian Penal Code registered in connection with Narpatganj (Basmatiya) P.S. Case No. 134 of 2019, G.R. No. 765 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute as the parties are neighbours. There is considerable delay in instituting the F.I.R. on 05.03.2019 for the alleged occurrence of 01.03.2019. The accusation under Section 354(B) IPC attributed to the petitioner nos. 1 and 2 is highly doubtful and in any event the accusation against the petitioner nos. 1 and 2 are general and omnibus in nature. Petitioner no. 3 is a lady. The petitioners claim clean



antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj (Basmatiya) P.S. Case No. 134 of 2019, G.R. No. 765 of 2019 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 3 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner nos. 1 and 2 shall remain physically present in Court on each and every date, in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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