

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13772 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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Vikki Mehta @ Bikash Mehta @ Bikki Mehta, male, aged about 27 years,
Son of Chano Mehta @ Chandeshwari Mehta, Resident of Village- Yogiraj,
P.S. Puraini, District- Madhepura (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Prasad Singh, Sr. Advocate
Mr. Anant Kumar 1, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-06-2020 Heard Mr. Kanhaiya Prasad Singh, learned senior
counsel, assisted by Mr. Anant Kumar No.1, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned counsel
appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with
Udakishunganj P.S. Case No. 331 of 2019 corresponding to CIS
No. 1330 of 2019 registered for the offence punishable under
Sections 324, 326, 307/34 of the Indian Penal Code, 1860 and
Section 3/4 of the Explosive Substances Act.

The allegation against the petitioner as per the First
Information Report is that while the informant was returning
from a *Shradh* ceremony on his Bolero vehicle along with other
co-villagers, 4-5 persons started throwing bomb on the vehicle,
which resulted in the vehicle being imbalanced and dashed with
a pillar of Bajrangbali Asthan and informant and other persons
travelling on the vehicle received injuries in various parts of the



body. It has further been alleged that accused persons after committing the crime started fleeing away in which two miscreants were identified in the light of electricity with bag namely, Vikki Mehta (petitioner) and co-accused Suraj Bhagat.

Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this due to village politics. Learned senior counsel referring to Annexures- 2 and 3 of the bail application submits that injuries caused to the informant and another person namely, Bilash Thakur have been found to be simple in nature, except injury no. 1 of Bilash Thakur caused near his knee, regarding which opinion has been kept reserved by the doctor. Learned counsel referring to paragraph no. 3 of the bail petition submits that fifteen cases have been registered against the petitioner and out of the same, in ten cases he has been acquitted and in four cases he is on bail and in only one case the petitioner is not on bail which is Puraini P.S. Case No. 192 of 2019 registered for the offence under Sections 341, 323, 354(B), 386, 387, 379, 504, 506/34 of the I.P.C. in which the petitioner was remanded on 18th February, 2020. Learned senior counsel further submits that petitioner is in jail since 18.11.2019 and charge sheet has already been submitted in the case.



On the other hand, learned counsel for the State vehemently opposes the prayer for bail and submits that petitioner has criminal background and regarding one of the injuries caused to Bilash Thakur opinion has been kept reserved by the doctor.

Having regard to the submissions made by the parties and taking into consideration the fact that injuries caused to informant and other persons have been found to be simple in nature and the petitioner has been released on bail in all other pending cases except one and he is in custody since 18.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Udakishunganj (Madhepura) in connection with Udakishunganj P.S. Case No. 331 of 2019 corresponding to CIS No. 1330 of 2019 if not required in any other case with the following conditions:-

(i) that one of the bailors shall be the father of the petitioner.

(ii) that petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court below and his absence on two consecutive dates without



any proper and just explanation will be
sufficient to cancel his bail bond.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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