

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17338 of 2020**

Arising Out of PS. Case No.-50 Year-2014 Thana- RANIGANJ District- Araria

1. Ram Kishor Mehta, Son of Sahdeo Mehta, Resident of Village - Tintakiya, P.S.- K. Nagar, Distt - Purnea. At present Resident of Tintakiya Majhuwa West Baluwa, P.S.- Raniganj, Distt - Araria.
2. Promod Mehta, Son of Sahdeo Mehta, Resident of Village - Tintakiya, P.S.- K. Nagar, Distt - Purnea. At present Resident of Tintakiya Majhuwa West Baluwa, P.S.- Raniganj, Distt - Araria.
3. Sahdeo Mehta @ Sahdev Mehta, Son of Late Chintamani Mehta, Resident of Village - Tintakiya, P.S.- K. Nagar, Distt - Purnea. At present Resident of Tintakiya Majhuwa West Baluwa, P.S.- Raniganj, Distt - Araria.
4. Ranju Mehta @ Ranju Devi, Wife of Ram Kishor Mehta, Resident of Village - Tintakiya, P.S.- K. Nagar, Distt - Purnea. At present Resident of Tintakiya Majhuwa West Baluwa, P.S.- Raniganj, Distt - Araria.
5. Jija Kokay Mehta, Son of Bipat Mehta, Resident of Village - Tintakiya, P.S.- K. Nagar, Distt - Purnea. At present Resident of Tintakiya Majhuwa West Baluwa, P.S.- Raniganj, Distt - Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Bachan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 14-10-2020 Heard learned counsel for the petitioners and Mr.
Ram Bachan Singh, learned A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Raniganj P.S. Case No. 50 of 2014 registered for the offences punishable under Sections 341, 323, 328, 504, 506, 511/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



First Information Report has been lodged by one Jay Prakash Mehta against his father and several other relatives only in order to falsely implicate them and harass them because of some property disputes.

It is submitted that the accused named in the F.I.R. are father, brother, wife of the elder brother and the brother-in-law (sister's husband) as also the younger brother of the informant and the allegations against all of them are that they badly assaulted the informant in his house and forcibly made him to consume a poisonous medicine meant for treating the insects. The informant was taken to Referral Hospital from where after initial treatment he was referred to Sadar Hospital, Purnea.

Learned counsel submits that the alleged occurrence is said to have taken place on 28.01.2014, the informant was released from hospital according to him on 01.02.2014 but the present case has been lodged on 21.03.2014 and now the injury report received from Sadar Hospital shows that it was a suspected case of poison but there is no final opinion of the doctor. What is pointed out by learned counsel for the petitioners is that no external injury has been found on the body of the informant which falsifies the allegation of assault on him.

Learned A.P.P. for the State has though opposed the



prayer for anticipatory bail of the petitioners but considering the facts and circumstances of the case wherein the parties are closely related to each other and there is said to be some dispute over properties and the injury report is not showing any injury on the body of the informant and there is no clear opinion in the injury report and Annexure '3' has been placed before this Court to show that now the parties have compromised their internal disputes, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 50 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

