

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25026 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- CHHATAPUR District- Supaul

1. RAJESH MEHTA @ RAJESH KUMAR MEHTA S/o Late Nunulal Mehta Resident of Village-Karhvana, P.S.-Chhatapur, District-Supaul.
2. Pramod Mehta @ Pramod Kumar Mehta S/o Late Nunulal Mehta Resident of Village-Karhvana, P.S.-Chhatapur, District-Supaul.
3. Chhotu Mehta @ Dipak Mehta S/o Late Nunulal Mehta Resident of Village-Karhvana, P.S.-Chhatapur, District-Supaul.
4. Umesh Mehta S/o Dev Krishan Mehta Resident of Village and P.S.-Chhatapur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun
For the Opposite Party/s	:	Mr.A.L. Pandit
For the informant	:	Mr. Naresh Kumar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-12-2020 Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State, through video conferencing.

This application, for grant of anticipatory bail, arises out of Chhatapur Police Station Case No. 08 of 2020, registered for the offence punishable under Sections 341/323/324/325/307/354-A/379/504/506/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the petitioner no. 1 gave farsa blow on the head of Dilip Kumar Mehta, petitioner no. 2 gave iron



rod blow on the head of Pramod Mehta, petitioner no. 3 gave iron-rod blow on the head of Dilip Kumar Mehta and the petitioner no. 4 gave spade blow on the head of Pramod Mehta.

Learned Counsel for the petitioners submits that both the parties are co-sharers and there is land dispute between them. He further submits that the injured persons were firstly treated at P.H.C., Chhatapur, and subsequently injury reports of a private hospital, situated at Nepal, has been brought on record, in which the injury caused on the head of the injured persons have been found to be grievous in nature, caused by hard and blunt substance; whereas the allegation against the petitioner no. 1 is that he gave farsa (a sharp-cutting weapon) blow on the head of Dilip Kumar Mehta. Likewise, the injury report of the hospital at Nepal shows lacerated grievous injury on the head of Pramod Mehta, caused by hard and blunt substance; whereas the allegation against the petitioner no. 4 is that he gave spade blow on the head of Pramod Mehta.

On the other hand, learned Counsel for the informant vehemently opposed the prayer of anticipatory bail and submits that the injuries sustained by injured persons on their heads have been found to be grievous in nature.

After having heard learned Counsel for the parties and



taking into consideration the materials on record and the fact that both the parties are co-sharers and there is land dispute between them, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Supaul, in connection with Chhatapur Police Station Case No. 08 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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