

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70659 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- NAVINAGAR District- Aurangabad

Janeshwar Mehta, aged about 65 years, Son of Late Bal Kishun Mehta R/o
Village- Hassanpur, P.S.- Nabi Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey

For the Opposite Party/s : Mr. Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 31-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Nabi Nagar P.S. Case No.
237 of 2019 registered for the offence under Sections 302, 201,
120B/34 of the Indian Penal Code.

In the F.I.R., the informant has alleged that while he
alongwith his son (deceased) was coming on motorcycle from
sasural of his daughter, on way, 18-20 persons stopped them
and started assaulting his son. It is further alleged that when
informant requested them not to beat his son, he was also
assaulted, whereupon, he ran away from there and when he
returned there with his family members, nobody was there and
on the next date, the dead-body of his son alongwith motorcycle
was recovered. Petitioner is one of the F.I.R. named accused.

It is submitted on behalf of petitioner that petitioner is
innocent and has committed no offence and he has falsely been
implicated in this case. There is general and omnibus allegation.



There is no specific allegation against the petitioner. Save & except the fact that petitioner was present there, there is nothing against the petitioner. In this case, chargesheet has already been submitted and there is no allegation against the petitioner of tampering with the evidence. The petitioner is in custody since 23-08-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Nabi Nagar P.S. Case No. 237 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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