

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24054 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- PURAINI District- Madhepura

1. BHAVDEO MEHTA Son of Late Bishundeo Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
2. Nirmal Mehta Son of Bhavdeo Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
3. Shakti mehta @ Shakti Kumar Son of Rajo @ Rajendra Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
4. Prabhu Mehta Son of Natho Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
5. Bittu Kumar @ Bittu Kumar Mehta @ Bittu Kumar Mehta Son of Prabhu Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
6. Gurudeo Mehta Son of Sahdeo Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
7. Rahul Kumar Mehta Son of Late Brahmdeo Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
8. Prashant Kumar @ Prabhat Ranjan Son of Late Brahmdeo Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
9. Niraj Kumar Mehta Son of Nawal Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
10. Ranjit Kumar Mehta Son of Laxmi Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
11. Arun Mehta Son of Nirdhan Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.
12. Kumod Mehta Son of Late Umesh Mehta Resident of Village - Ganeshpur, P.S.- Purani, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the informant	:	Dr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Learned counsel for the petitioners seeks permission of
the Court to withdraw this application in respect of petitioner nos. 1,



2, 4 and 11 as they have been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner nos. 1, 2, 4 and 11.

Heard learned counsel for the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12, learned APP for the State and learned counsel for the informant.

Learned counsel for the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12 is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12 are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons demanded rangdari and when the informant objected, he was assaulted by accused persons due to which he sustained injuries. The accused persons also assaulted the family members who came in rescue of the informant.

It has been submitted on behalf of the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12. The petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12 have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is



alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out..

On behalf of the State and the informant, it is submitted that the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 3, 5, 6, 7, 8, 9, 10 and 12, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Udakishunganj, Madhepura in connection with Purani P.S. Case No. 180/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

