

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37170 of 2021

Arising Out of PS. Case No.-44 Year-2019 Thana- SHRI NAGAR District- Madhepura

1. Shaligram Mehta S/O Shiv Shankar Mehta R/V-Laxmipur Bhagwati, Ward No. 11, Mehta Tola, P.S-Srinagar, District-Madhepura.
2. Manjeet Mehta @ Manjesh Kumar @ Manjit Kumar @ Manjesh S/O Shivan Singh @ Siwan Singh R/V-Kachout, Ward No.9, P.S-Salkhua, District-Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sushil Kumar Jha, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2021 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 and 302 of the Indian Penal Code.

The prosecution case is that the petitioners and other accused persons, named in the FIR, over a dispute regarding construction of a hut, assaulted the father and other family members of the informant due to which they sustained injuries. Father of the informant died on way to the hospital.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Parties are agnate and the dispute arose between the



parties over construction of a hut in which both parties entered into free fight. There is case and counter case and there is general and omnibus allegation of assault against all the accused persons and no specific overt has been alleged against the petitioners. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. They are in custody since 20.3.2021. Several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide Annexure 4.

In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Madhepura in Srinagar Police Station Case No. 44 of 2019 on the following conditions:-

(1) Petitioners shall co-operate 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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)

shashi/-

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

