

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34307 of 2020

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

1. MITHILESH MEHTA @ MITHILESH KUMAR S/o Shiv Shankar Mehta Resident of Village- Laxmipur Bhagwati, Ward No. 11, P.S.- Srinagar, District- Madhepura.
2. Rajendra Mehta S/o Late Bhumi Mehta Resident of Village- Laxmipur Bhagwati, Ward No. 11, P.S.- Srinagar, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

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

The prosecution allegation, in short, is that on a dispute regarding construction of a hut, the accused persons assaulted the father and other family members of the informant due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. 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.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura in connection with Srinagar P.S. Case No. 44/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

