

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36855 of 2020

Arising Out of PS. Case No.-271 Year-2020 Thana- FORBESGANJ District- Araria

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1. Chandranand Mehta, male, S/o Late Bhujdev Mehta
 2. Gayanand Mehta, S/o Late Bhujdev Mehta
 3. Sachitanand Mehta, S/o Late Bhujdev Mehta
 4. Sadanand Mehta, S/o Late Bhujdev Mehta

All are resident of Village-Rampur Basgara, P.S.-Forbesganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 07-04-2021 Heard Mr. Raj Kumar, learned Advocate for the

petitioners and Mr. Sanjay Kumar Sharma, learned APP for

the State.

The petitioners seek bail in anticipation of their

arrest in connection with Forbesganj P.S. Case No. 271 of

2020, dated 12.04.2020, instituted for the offences under

Sections 147, 148, 149, 447, 323, 341, 324, 307, 379,



504 and 506 of the Indian Penal Code.

The accusation in the F.I.R. is of the petitioners assaulting the informant and his family members. Four persons are said to have been injured in the occurrence out of whom, two have received grievous injuries.

The learned counsel for the petitioners has submitted that there is no specific accusation against anyone of the petitioners and that there is a reason also for their false implication. He has submitted that the petitioners had purchased a plot of land from their uncle, *viz.*, Krityanand Mehta *vide* sale-deed dated 06.01.1989, which is the bone of contention between the parties. The informant is none else but the cousin of the petitioners and he has staked his claim over the purchased property of the petitioners. It has also been submitted that one of the accused persons has received only two injuries even when eight persons are said to have assaulted him. It has further been submitted that the accusation against the petitioners is highly exaggerated and, therefore, anticipatory bail should be granted to them.

There is a counter version of the occurrence as



well.

In any view of the matter, since two of the persons have received grievous injuries, I am not inclined to grant anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail of the petitioners is, accordingly, rejected.

However, if the petitioners surrender before the Court below and seek bail, the Court below, after taking into account that there has been a counter version of the case and that the petitioners are related to the informant and there is a land dispute between them, shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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