

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39475 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- BIHARIGANJ District- Madhepura

1. NAKUL DEV MEHTA, Son of Late Kant Lal Mehta, R/o Rahichtanma,
P.S.- Bihariganj, Distt- Madhepura
2. JAI PRAKASH MEHTA, Son of Late Kant Lal Mehta, R/o- Rahichtanma,
P.S.- Bihariganj, Distt- Madhepura ... Petitioners

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioners : Mr. Md Fazle Karim, Adv.
For the Opposite Party : Mr. Veena Kumari, Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 24.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioners seek pre-arrest bail in connection with Bihariganj P.S. Case No. 18 of 2020, registered under Sections 341, 342, 448, 323, 354, 352, 380, 427, 327, 504, 506 and 34 of the Indian Penal Code.

The accusation is that on 07.01.2020 at about 11.00 a.m. five persons, named in the first information report, including both the petitioners, and 10 others, variously armed with weapons, surrounded the door of the informant, Ram



Charan Mehta, and entered in the house and started to cause assault. At that time, they abused his sister-in-law, Makhri Devi, and caused assault and made demand of ornaments. Surendra Mehta snatched the silver chain of Makhri Devi, sister-in-law of the informant, Nakul Dev Mehta (petitioner no. 1) snatched gold ear-rings of Soni Devi, daughter-in-law of the informant and also caught hold and abused her making demand of ornaments, Suraj Kumar snatched her gold chain and Jai Prakash Mehta (petitioner no. 2) snatched her ear-rings. Surendra Mehta by breaking the lock of the box took out the ornaments and cash of Rs.50,000/-. At that time, they destroyed the sheet of roof of the house and unknown persons also made fire creating terror.

Submission is that the petitioners and others accused are agnates of the informant and due to family dispute, the informant has implicated the petitioners and others. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Bihariganj P.S. Case No. 18 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees



ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Uda Kishunganj, Madhepura, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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