

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2423 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- BABUBARHI District- Madhubani

1. MANOJ MEHTA @ MANOJ KUMAR MEHTA, Son of Late Hari Singh Lal Mehta,
2. Manju Devi, Wife of Sri Manoj Mehta @ Manoj Kumar Mehta
Both Resident of Village- Kulahariya, P.S.- Babubarhi, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-11-2021 Heard the parties.

The petitioners are apprehending their arrest in connection with Babubarhi P.S. Case No. 140/2020, corresponding to C.R.I. No. 977/2020 in a case registered for the offence punishable under Sections 447, 448, 380, 427, 307, 504/34 of the Indian Penal Code.

It is contended by learned counsel for the petitioners that the allegation against the accused persons including the petitioners is that they have assaulted the prosecution party. There is no specific allegation against the petitioners but the specific allegation against petitioner no.1 and his entire family members for fighting with the prosecution side.



Consider the above facts, I am not inclined to grant the privilege of anticipatory bail to the petitioner no.1. His prayer for anticipatory bail is hereby rejected.

So far as the petitioner no.2 is concerned she is a lady.

In the aforesaid facts, this application is allowed. Let the petitioner no. 2, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Madhubani in connection with Babubarhi P. S. Case No. 140/2020 corresponding to C.R.I. No. 977/2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

In case the petitioner no. 1 surrenders and prays for regular bail before the Court below within a period of four weeks from today, the Court below will consider the petition for regular bail of the petitioner no.1 without being prejudiced by the fact that anticipatory bail petition has been rejected by this court. The Court below also consider the fact that there is



general and omnibus allegation against him.

(Sandeep Kumar, J)

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