

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5738 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- SARSI District- Purnia

1. Sulechna Devi W/o Mahesh Mehta Resident of Village- Chhoti Kadarganj, Ward No. 8, P.S.- Sarsi, Distt.- Purnea.
2. Akhilesh Mehta S/o Mahesh Mehta Resident of Village- Chhoti Kadarganj, Ward No. 8, P.S.- Sarsi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Ajit Ranjan Kumar, Advocate
For the State	:	Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sarsi P.S. Case No.87 of 2020 registered for offences under Sections 341, 323 and 307/34 of the Indian Penal Code. Subsequently, Section 302 of the IPC has been added.

At the very outset, learned counsel for the petitioners submits that petitioner no. 2, namely, Akhilesh Mehta @ Akhilesh Mahto @ Aklesh Mehta has been arrested during the pendency of this application. Hence, he prays for withdrawal of the application.

Prayer is allowed. The application for anticipatory



bail is dismissed as withdrawn so far as petitioner no. 2, namely, Akhilesh Mehta @ Akhilesh Mahto @ Aklesh Mehta is concerned.

On account of land dispute, occurrence took place in which there is general and omnibus allegation of assault by the petitioners on the husband of the informant. The informant took her husband to the hospital for treatment and thereafter he died.

It is being submitted by learned counsel for the petitioner no. 1 that it is not a case of Section 302 of the IPC.

Considering the aforesaid facts, the application for anticipatory bail is allowed.

Accordingly, let petitioner no.1, Sulechna Devi, in the event of her arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri R. Kumar, Judicial Magistrate, 1st Class, Purnea in connection with Sarsi P.S. Case No.87 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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