

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8461 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- TRIVENIGANJ District- Supaul

1. RAM SUNDAR MEHTA SON OF LATE BHAIYALAL MEHTA
RESIDENT OF VILLAGE- MIRJAVA, POLICE STATION-
TRIVENIGANJ, DISTRICT- SUPAUL
2. MITHILESH KUMAR MEHTA @ KHOKHA SON OF RAMSUNDAR
MEHTA RESIDENT OF VILLAGE- MIRJAVA, POLICE STATION-
TRIVENIGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 326, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The F.I.R. of the occurrence of murder is against unknown.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely



implicated in the present case. In fact, the petitioners are not named in the F.I.R. and the name of the petitioners have been transpired during investigation on the basis of fardbeyan of one Pankaj Kumar Mehta who happens to be the son of the deceased. He further submits that during investigation the informant and the son of the deceased namely Pankaj Kumar Mehta as stated in paragraphs- 27 and 28 of the case diary, they have not disclosed the name of the petitioners and the police only on the basis of suspicion falsely implicated the petitioners in the present case. He further submits that similarly situated co-accused person namely Bhuvneshwar Mehta has been granted bail by this Court vide order dated 13.06.2022 in Cr. Misc. No. 7572 of 2022 and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 11.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection



with Triveniganj P.S. Case No. 138 of 2021, with the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Ibrar//-

(Rajesh Kumar Verma, J)

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

