

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16211 of 2022

Arising Out of PS. Case No.-835 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. BALRAM MEHTA S/o Late Basudev Mehta R/o Village- Faryani, P.S.- K. Hat, District- Katihar.
2. Pawan Mehta S/o Late Basudev Mehta R/o Village- Faryani, P.S.- K. Hat, District- Katihar.
3. Kapildev Mehta @ Kapil Kr. Mehta S/o Basudev Mehta R/o Village- Faryani, P.S.- K. Hat, District- Katihar.
4. Madan Mehta S/o Late Deepan Mehta R/o Village- Faryani, P.S.- K. Hat, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 380, 504, 506 and 34 of the Indian Penal Code.

Petitioners along with others co-accused is said to



have assaulted the informant and his family members and also looted ornaments and cash from the house of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific overt act against the petitioner no.1 Balram Mehta who assaulted the informant. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner nos.2, 3 & 4, let the above named petitioner nos.2, 3 and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with K. Hat Maranga P.S. Case No. 835 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, so far as petitioner no.1 is concerned, there



is specific overt act against the petitioner no.1 and injuries found upon the victim are grievous in nature, I am not inclined to enlarge the petitioner no.1 on anticipatory bail in connection with K. Hat Maranga P.S. Case No. 835 of 2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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