

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17996 of 2022

Arising Out of PS. Case No.-334 Year-2021 Thana- KUMAR KHAND District- Madhepura

1. ASHOK MEHTA Son of Kapildeo Mehta Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.8
2. Anmol Mehta S/o Kapildeo Mehta Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
3. Ajay Mehta @ Subhash Mehta @ Subhash Rana Son of Kapildeo Mehta Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
4. Ganesh Kumar Gaurav S/o Late Chabby Mehta Resident of Village and P.S.- Banmankhi, District- Purnea.
5. Pintu Mehta Son of Yogendra Mehta Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
6. Kastu Kumar @ Kestu Kumar @ Kestu Kumar Yadav Son of Shobha Yadav Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
7. Rajan Yadav @ Rajen Yadav @ Rajendra Yadav Son of Late Saryug Yadav Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
8. Pradeep Kumar Son of Late Laxman Mehta Resident of Village- Guriya, P.S.- Kumar Khand, District- Madheopura.
9. Sahabag Khan Son of Samshad Khan Resident of Village- Banmankhi, P.S.- Banmankhi, District- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anand Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioners and the

State through virtual mode.

Learned counsel for the petitioners is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.



At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 1 namely Ashok Mehta as during pendency of this application, he has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 1 namely Ashok Mehta is dismissed as withdrawn.

The petitioner Nos. 2 to 9 are apprehending their arrest in Kumarkhand P.S. Case No. 334 of 2021 registered for the offence under Sections 147, 148, 149, 341, 342, 332, 333, 353, 307, 427 of the Indian Penal Code.

Prosecution case, in short is that on 01-12-2021 at about 1:50 'O' Clock, the named accused persons including a crowd of 150-200 male and female attacked the informant while he was discharging his official duty. In the occurrence, some official persons received injuries. Some important documents are said to have been torn by the accused persons.

It has been submitted on behalf of the petitioner Nos. 2 to 9 that the petitioner Nos. 5 to 9 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 2 to 9. The petitioner Nos. 2 to 9 have been falsely implicated in the present case. General and omnibus



allegation has been made against the petitioners. No specific overt act is alleged against the petitioner Nos. 2 to 9. A protest is alleged to have been made against the local administration in which, altogether 19 named persons along with 150 unknown persons have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner Nos. 2 to 9 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 2 to 9, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Madhepura in connection with Kumarkhand P.S. Case No. 334 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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