

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19974 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- RISIYAP District- Aurangabad

MANOJ MEHTA S/o Ramlagan Mehta Resident of Village- Sadsa Bigha,
P.S.- Risiup, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Risiup
P.S. Case No. 62 of 2021 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 324, 307, 448 of the
Indian Penal Code.

As per prosecution case, there is accusation against
the petitioner to assault Rinki Devi by means of Garasa as a
result of which she sustained injury on head.

Learned counsel for the petitioner submits that
petitioner is in custody since 22.11.2021. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner and informant are co-villagers and there is a case and counter case between both the parties. There is no allegation of second blow on the head of the victim, Rinki Devi, who has sustained injury.

The learned A.P.P. for the State and counsel of informant vehemently oppose the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, nature of allegation charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Risiup P.S. Case No. 62 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkr/-

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

