

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48001 of 2021

Arising Out of PS. Case No.-1044 Year-2020 Thana- FORBESGANJ District- Araria

1. SHAMBHU MEHTA Son of Late Dayanand Mehta Resident of Dak Haripur, Ward No. 13, P.S.- Forbesganj, District- Purnea.
2. Dilip Mehta Son of Late Dayanand Mehta Resident of Dak Haripur, Ward No. 13, P.S.- Forbesganj, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 11-04-2022 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with Forbesganj P.S. Case No. 1044 of 2020, for the offence punishable under Sections 147, 148, 149, 323, 324, 302, 379 of the Indian Penal Code.

The prosecution case, in brief, is that altogether 18 named accused persons and 10 unknown persons murdered the husband of informant, who was on inimical term with one co-accused Rupchand Mehta.

Learned counsel appearing on behalf of the petitioners



submits that the petitioners are co-villagers and they have no concerned, in any manner, with the informant or with the co-accused Rupchand Mehta against whom there is direct allegation of inimical relationship between the informant and the husband of informant. So far as the petitioners are concerned, there is general and omnibus allegation against them. The other co-accused namely Bablu Mehta @ Bablu Kumar Mehta @ Bablu Kumar, Chotu Mehta @ Chhotu Kumar Mehta and Jiwanand Paswan have already been released on bail by this Court vide order dated 10.03.2022 passed in Criminal Miscellaneous No. 43688 of 2021 and vide order dated 03.03.2022 passed in Criminal Miscellaneous No. 43396 of 2021, respectively. The petitioners are in custody since 11.01.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioners.

Considering the aforementioned facts and circumstances of the case, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 1044 of 2020, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioners are found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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