

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59801 of 2021**

Arising Out of PS. Case No.-337 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

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MAHENDRA TURHA @ MAHENDRA SAH TURHA Son of Late Ganesh  
Turha @ Ganesh Turha Resident of Mohalla - Miyanchak Chatti Road, Ward  
No. 34, P.S. - Town (Ratanpur O.P.), District - Begusarai.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Informant : Mr.Jata Shankar Jha

For the State Mr. Md. Aslam Ansari

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      09-02-2022                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State in virtual court  
  
proceeding.

Let the defects, as pointed out by the office, be  
removed within four weeks of start of normal functioning of the  
physical court.

Petitioner seeks bail in connection with Town P.S.  
Case No. 337 of 2021 registered for the offences punishable  
under Sections 143, 448, 341, 323, 324, 384, 379, 307, 506 of  
the IPC.



As per prosecution case, on 26.05.2021 at about 4:00 AM, the petitioner along with others having armed with various weapons came at the house of informant and petitioner gave kachiya blow on the informant causing injury to him. Other accused persons are said to have assaulted the inmates of the house and also snatched their belongings.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that the petitioner assaulted with kachiya to the informant but the injury sustained by the informant is simple in nature caused by hard and blunt substance (Annexure-2). He further submits that present FIR has been instituted only to harass the petitioner and other family members due to land dispute. He further submits that police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 25.08.2021.

Learned counsel for the informant as well as learned Additional Public Prosecutor vehemently opposed the prayer of bail and submit that there is direct allegation of overt-act against the petitioner.

Considering the aforesaid facts and circumstances, let



the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 337 of 2021, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

**(Rajesh Kumar Verma, J)**

shahzad/-

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