

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7843 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- NIRMALI District- Supaul

1. PRAKASH MEHTA Son of Darpi Mehta R/v- Domhan Ward No. 1, P.S.- Nirmali, District- Supaul
2. PAWAN MEHTA Son of Darpi Mehta R/v- Domhan Ward No. 1, P.S.- Nirmali, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nirmali Police Station Case No. 79 of 2022, dated 11.04.2022, disclosing offences under Sections 341/323/307/447/379/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information Report, is that the petitioners, along with other co-accused persons, twelve in number, variously armed, arrived at the field of the informant, where wheat crop was standing, cut the crops and took away the same after putting it on a tractor and when



the informant protested, they threatened the informant and one of the co-accused, namely, Laxman Mehta opened 3-4 rounds of fire, but the informant somehow saved himself.

Learned Counsel for the petitioners submits that both the parties are agnates and there is admitted land dispute between them inasmuch as Partition Suit No. 08 of 2017 is pending between the parties. He further submits that the allegation against the petitioners is general and omnibus in nature and the allegation of firing is against co-accused Laxman Mehta and admittedly no one received any injury from the side of the informant.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates and there is land dispute between them, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional



Chief Judicial Magistrate, Birpur, at Supaul, in connection with
Nirmali Police Station Case No. 79 of 2022, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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