

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29548 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- DHAMDAHA District- Purnia

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ARUN MEHTA @ ARUN KUMAR SINGH Son of Sri Sitaram Mehta @
Sitaram Mehata Resident of village - Mokma, Bishonpur, ward no. 11, P.S. -
Dhamdaha, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-07-2023 Heard learned counsel appearing on behalf of the

parties.

The petitioner seeks bail in connection with

Dhamdaha P.S. Case No. 274 of 2021 registered for the offence

under Sections 324 and 307/34 of the Indian Penal Code and

Section 27 of the Arms Act, however, Section 302 of the Indian

Penal Code was added later on.

The accused/petitioner is not named in the F.I.R. and

is in custody since 13.06.2022.

The allegation against the petitioner is to commit

murder of one Banarasi Mehta, along with unknown co-accused

persons, by causing firearm injury, where, informant is Sri

Bedanand Paswan, Caukidar No.313 of Dhamdaha, District –



Purnia.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of other co-accused person, namely, Manik Lal Mehta, where, no incriminating material recovered against this petitioner to connect him, *prima facie*, with the present occurrence of murder. It is further submitted that during course of investigation, eyewitness stated that co-accused persons, namely, Pintu Mehta and Binod Mehta found running away, after committing the crime, from the place of occurrence, having pistol in their hand. It is submitted that in aforesaid background co-accused, namely, Binod Mehta has already granted bail by a learned co-ordinate Bench of this Court, through Cr. Misc. No.7464 of 2022 dated 02.01.2023. While concluding the argument, it is submitted that investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confessional statement and also by



the version of eyewitness of this occurrence, nothing incriminating appears against this petitioner, to connect him, *prima facie*, with present occurrence of murder coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 13.06.2022, let the petitioner, above named, is directed to be released on bail in connection with Dhamdaha P.S. Case No. 274 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Purnea/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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