

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40962 of 2022

Arising Out of PS. Case No.-120 Year-2022 Thana- KUMAR KHAND District- Madhepura

SAROJ MEHTA @ SAROJ KUMAR MEHTA Son of Ganeshi Mehta
Resident of Village - Guriya, Ward No.- 11, P.S.- Kumarkhand, Dist.-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection
with Kumarkhand PS case no. 120 of 2022 instituted for the
offences punishable under Section 307 and other allied
sections of the Indian Penal Code.

The allegation is regarding the accused persons
having assaulted the son of the informant after surrounding
him, on account of quarrel having taken place, since the
informant had filed a complaint against the accused persons
under the provisions of the Bihar Prohibition and Excise Act.
As far as the petitioner is concerned, he is said to have
inflicted a spade blow on the head of the son of the informant,



resulting in him being grievously injured.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 06.04.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one other case but he is on bail in the said case.

Per contra, the learned counsel for the informant as also the learned APP for the State, not only have vehemently opposed the prayer for bail but have also submitted that a false statement has been made in paragraph no. 3 of the present petition, inasmuch the petitioner is an accused in two other criminal cases.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the son of the informant has sustained grievous injuries, though I am not inclined to grant bail to the petitioner, at the moment, however, I direct for release of the petitioner on bail immediately upon framing of charge by the learned trial court, subject to such conditions, as may be deemed appropriate to be imposed by the



learned court of A.C.J.M.-II, Madhepura in connection with
Kumarkhand PS case no. 120 of 2022.

The present petition stands disposed off with the
aforesaid observations and directions.

(Mohit Kumar Shah, J)

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