

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43559 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Janki Devi W/O Hari Lal Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
2. Neelu Kumari @ Nilu Kumari D/O Hari Lal Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
3. Bharti Kumari D/O Hari Lal Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
4. Anita Devi W/O Dilip Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
5. Dukhani Devi W/O Jay Prakash Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
6. Dilip Mehata @ Dilip Kumar Mehata S/O Jay Prakash Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
7. Babloo Kumar S/O Jay Prakash Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia
8. Hari Lal Mehta S/O Late Fijlu Mehta @ Bijlu Prasad Mehta R/O Village- Chandi Kathwa, Ps. Sadar (Muffasil), Dist. Purnia

... .. **Petitioners**

Versus

The State of Bihar

... .. **Opposite Party**

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Mishra, Advocate Mr.Anirudh Mishra, Advocate
For the Opposite Party/s	:	Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Sadar (Mufasil) P.S. Case No. 343 of 2023 registered for the offences punishable under Sections 147, 149, 447, 341, 323, 324, 307, 379 & 504 of the Indian



Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant alleged that while his father was preparing Kutti paddy on 16.04.2023 at 10:00 A.M. at his door, his neighbours Anil Kumar and Hari Lal Mehta came there and abused his father and tried to stop cutting of Kutti, thereafter the neighboring people came there and pacified the matter, but after about 40 minutes, all the F.I.R. accused persons came and assaulted the informant and his family members with spade and axe. It is alleged that when the mother of the informant tried to save the father of the informant, Hari Lal Mehta started dragging her by holding her hair. After hearing the noise, several persons came there and all the four injured persons were brought to Sadar Hospital for treatment.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case due to land dispute and there is general and omnibus allegation against these petitioners as also there is case and counter case between the parties.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having noticed that there is case and counter case



between the parties, the injuries are simple in nature except one injury of Santosh Mehta which has been caused by hard and blunt substance, the allegations against the petitioners in the present case are general and omnibus, the petitioner no. 8 is said to be lashed with an Axe but no injury has been caused to any of the injured by an Axe and all the injuries are caused by hard and blunt substance, the submission being that the allegation of outraging the modesty of mother of the informant by petitioner no. 8 is only an ornamental allegation, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioner nos. 1 to 8 above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia in connection with Sadar (Mufasil) P.S. Case No. 343 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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