

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45242 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- KISHANPUR District- Supaul

1. BIRENDRA MEHTA S/O LATE PRITHWI MEHTA RESIDENT OF VILLAGE- MURKUCHIYA WARD NO 1 PS- KISHANPUR DISTT- SUPAUL
2. SIKENDRA MEHTA S/O LATE PRITHWI MEHTA RESIDENT OF VILLAGE- MURKUCHIYA WARD NO 1 PS- KISHANPUR DISTT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 04-08-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Kishanpur PS case no. 94 of 2022, registered for the offences punishable under Section 354(B) and other allied sections of the Indian Penal Code.
3. The allegation is that while the petitioners herein and one Ramawati Devi were ploughing their field on the alleged date and time of occurrence, the informant had arrived there and stopped them from doing so, whereupon the petitioners are alleged to have assaulted the wife of the informant and his sister-in-law.



4. The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the injuries sustained by the injured persons have been found to be simple in nature, hence, the petitioners be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. 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 petitioners are having a clean antecedent and the injuries sustained by the injured persons, attributable to the petitioners herein, have been found to be simple in nature, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand)



each with two sureties of the like amount each to the satisfaction of learned court of J.M. 1st class, Supaul in connection with Kishanpur PS case no. 94 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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