

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48292 of 2022

Arising Out of PS. Case No.-71 Year-2020 Thana- JANKINAGAR District- Purnia

BHUWNESHWARI MEHTA Son of Late Misri Mehta Resident of Village -
Sahuriya, Ward No.- 09, P.S.- Jankinagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Ram Nandan Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Jankinagar P.S. Case No. 71 of 2020, registered for the offence punishable under Sections 341, 323, 379, 504, 506 of the Indian Penal Code and later on, Section 307 of the Indian Penal Code was added.

The allegation is regarding the petitioner having hit the informant on his face with a two kg. weight (batkhra) on account of which the nasal bone of the informant was fractured and the injuries sustained by the informant has been



found to be grievous in nature.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 29.5.2022. The learned counsel for the petitioner has further submitted that there has been a delay in lodging the FIR, inasmuch as the incident had taken place on 12.5.2020, but the FIR has been lodged only on 19.5.2020. It is further submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of bail.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that the petitioner is having a clean antecedent, I deem it



fit and proper to 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 fit and proper to be imposed by the learned Court of Judicial Magistrate-1st Class, Purnea in connection with Jankinagar P.S. Case No. 71 of 2020.

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

(Mohit Kumar Shah, J)

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