

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63623 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- PURAINI District- Madhepura

MANOJ MEHTA @ MANOJ KUMAR MEHTA Son of Subhuklal Mehta
Resident of Village- Yogiraj Ward No.06, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patla Kumari, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 307, 354(B), 504, 506 and 34 of
the Indian Penal Code.

The petitioner allegedly gave a dabiya blow on the
head of the informant on account of protest made by her while
the petitioner was constructing house by encroaching the land of
the informant. Further, it is alleged that the petitioner has also
torn the apparels of the informant and when the husband of the
informant came to rescue her, he has also been assaulted by the
iron rod.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in



this case. He further submits that in fact, the informant is sister-in-law of the petitioner and due to family dispute, present occurrence has taken place. He further submits that according to the F.I.R. the petitioner has assaulted the informant and her husband by dabiya and iron rod but the injury report of the injured person, namely, Kishore Mehta and Archana Devi suggest that the injury sustained by the injured are simple in nature and the same does not corroborate with the allegation leveled against the petitioner in the F.I.R. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the co-accused, Shanti Devi, who is wife of the petitioner, has already been granted bail the court below itself. The petitioner is rotting in judicial custody since 09.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Puraini P.S. Case No. 08 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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

(Rajesh Kumar Verma, J)

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