

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70493 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

VICKY MEHTA @ VIKASH MEHTA SON OF SRI CHANDESHWARI
MEHTA @ BINDESHWASRI MEHTA @ CHANO MEHTA R/O
VILLAGE- YOGEERAJ, P.S.- PURAINI, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 120B of the Indian Penal Code and Section 27 of Arms Act.

3. As per allegation in the FIR, Manager, namely, Lal Kumar Yadav of Ashirvad Nursing Home was shot dead by some unknown miscreants about which informant got information by telephonic call. Injured died on the way to hospital and the reason behind this occurrence is said to be election rivalry and land dispute.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



suspicion due dirty village politics. It is further submitted that there is delay of two days in lodging the FIR. There is no specific overt act has been attributed to the petitioner only allegation against the petitioner is that he has made conspiracy inside the jail for the offence. It is also submitted that informant is not the eye witness of the alleged occurrence. Similarly situated other co-accused namely, Shiyaram Mehta has already been granted bail by this Bench vide order dated 25.08.2023 passed in Cr. Misc. No. 51066 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.09.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Udakishunganj P.S. Case No. 19 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-I, Madhepura.

(Sunil Kumar Panwar, J)

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