

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75208 of 2022

Arising Out of PS. Case No.-156 Year-2022 Thana- ALAMNAGAR District- Madhepura

1. MUKESH KUMAR @ MUKESH KUMAR MEHTA Son of Sri Kailash Mehta Resident of Village - Bhogipur, P.S.- Alamnagar, District - Madhepura (Bihar)
2. Kailash Mehta Son of Late Raghunath Mehta Resident of Village - Bhogipur, P.S.- Alamnagar, District - Madhepura (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

Learned counsel for the petitioner pray to make necessary corrections in para-1 of the bail application.

He is permitted to do so.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 341, 323, 324, 307, 354, 504/34 and later on converted section 302 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Nitish Mehta to assault the informant Saurav Kumar Mehta due to which he died during the course of treatment. The allegation against the petitioner no.1 is to assault the father of the informant and the allegation against the petitioner no.2 is to assault the mother of the informant but no injury was found on them which is clear from the impugned order itself. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Alamnagar P.S. Case No.156 of 2022,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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