

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51670 of 2024

Arising Out of PS. Case No.-198 Year-2020 Thana- KISHANPUR District- Supaul

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1. MANOJ MEHTA @ MANOJ KUMAR MANOHAR S/O SATYA NARAYAN MEHATA R/O VILLAGE- SHRIPUR WARD NO. 13, SUKHASAN, P.S- KISHANPUR, DISTT.- SUPAUL.
 2. MUSHAHRU MEHTA @ SURYA NARAYAN MEHATA S/O SITARAM MEHTA R/O VILLAGE- SHRIPUR WARD NO. 13, SUKHASAN, P.S- KISHANPUR, DISTT.- SUPAUL.
 3. CHHOTE LAL MEHTA S/O SITA RAM MEHATA R/O VILLAGE- SHRIPUR WARD NO. 13, SUKHASAN, P.S- KISHANPUR, DISTT.- SUPAUL.
 4. PRAKASH MEHTA @ PRAKASH KUMAR S/O KAILU MEHTA @ RAM NARAYAN MEHTA @ KAILU R/O VILLAGE- SHRIPUR WARD NO. 13, SUKHASAN, P.S- KISHANPUR, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.
For the Opposite Party/s : Ms. Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant brutally with deadly weapons due to which he sustained several injuries.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is case and counter case between the parties. It is further submitted that after investigation, the police has submitted final form against the petitioners and the petitioners were also given the benefit of provision under Section 41A of the Cr.P.C., but differing from the final form, the learned Court below took cognizance against the petitioners. He further submits that similarly situated co-accused has been enlarged on bail by this court vide order dated 14.12.2021 passed in Cr. Misc. No. 11936 of 2021. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the final form has been submitted against the petitioners, 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 lower Court where the case is pending/successor Court in connection with Kishanpur P.S. Case No. 198 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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