

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64945 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- JADIA District- Supaul

1. Bindeshwari Mehta S/O Hiyalal Mehta R/O- Fulkaha P.S- Jadia Dist- Supaul
2. Manoj Mehta @ Manoj Kr. Mehta S/O Chandeshwari Mehta R/O- Fulkaha P.S- Jadia Dist- Supaul
3. Ramesh Kumar Mehta S/O Chandeshwari Mehta R/O- Fulkaha P.S- Jadia Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioners, learned APP
for the State and perused the case diary.

2. The petitioners seek bail in connection with Jadia P.S. Case No. 273 of 2023 (S.T. No. 143 of 2024) instituted for the offences under Sections 147, 148, 149, 302, 354, 504, 506 of the Indian Penal Code.

3. Prosecution story, in short, is that when the informant was coming with her husband, all the FIR named accused persons assaulted the husband of the informant by means of lathi, fatha and iron rod, leading to his death.

4. Learned counsel for the petitioners submitted that



petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that from perusal of the post-mortem report, it appears that the husband of the informant died due to heart attack and no external injury was found on the body of the deceased, which falsifies the prosecution version. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.11.2023 and have one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel further submitted that there is specific allegation of assaulting the deceased against these petitioners and, therefore, learned counsel prays that the petitioners do not deserve to be released on bail.

6. Having considered the rival submissions of the parties and the material available on record, since there is specific allegation of assaulting the deceased against the petitioners, this Court is not inclined to grant bail to the petitioners.

7. Prayer for grant of bail to the petitioners is, hereby,



rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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