

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72388 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- ARER District- Madhubani

1. SANJEEV MEHTA @ EKLABYA SAMDARSHI SON OF LATE RADHA PRASAD MEHTA @ LATE RAJA MEHTA RESIDENT OF VILLAGE- JARAIL, POLICE STATION- ARER, DISTRICT- MADHUBANI.
2. SAROJ MEHTA @ SAROJ KUMAR DHAVAN SON OF LATE RADHA PRASAD MEHTA @ LATE RAJA MEHTA RESIDENT OF VILLAGE- JARAIL, POLICE STATION- ARER, DISTRICT- MADHUBANI.
3. SITA DEVI WIFE OF LATE RADHA PRASAD MEHTA @ LATE RAJA MEHTA RESIDENT OF VILLAGE- JARAIL, POLICE STATION- ARER, DISTRICT- MADHUBANI.
4. SONI DEVI @ SONI DHAVAN WIFE OF SAROJ MEHTA @ SAROJ KUMAR DHAVAN RESIDENT OF VILLAGE- JARAIL, POLICE STATION- ARER, DISTRICT- MADHUBANI.
5. VIJAY KUMAR MEHTA @ VIJAY MEHTA SON OF SRI BAIDYA NATH MEHTA RESIDENT OF VILLAGE- JARAIL, POLICE STATION- ARER, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha, Adv.
For the Opposite Party/s	:	Mr.Khurshid Anwar, APP
For the Informant	:	Mr.Ashok Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-03-2024 Heard learned counsel for the petitioners, learned counsel

for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 364, 201/34 of the IPC.

3. Allegation against the petitioners is that they killed the daughter of the informant and hid the dead body.

4. 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 due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 is the husband of the informant's daughter and other petitioners are the matrimonial family members of the informant's daughter. It is submitted that the victim was of unsound mind and from the C.C.T.V. footage, it is clear that she was seen leaving her house alone in the morning. There is no specific allegation against the petitioners and they have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that till date, the victim is traceless and there is specific allegation against the petitioner no.1 (husband of the victim).

6. Having regard to the facts and circumstances of the case, considering that there is no specific allegation against the petitioner nos.2 to 5, let the above named petitioner nos.2 to 5, 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 Arer P.S. Case No.106 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the nature of allegation, I am not inclined to enlarge the petitioner no.1 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. However, petitioner no.1 is at liberty to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

9. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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