

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82455 of 2024

Arising Out of PS. Case No.-480 Year-2024 Thana- RAFIGANJ District- Aurangabad

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1. Vinay Mehta @ Vinay Kumar Son of Brijnandan Mehta R/O Village- Bahadurpur, P.S-Rafiganj, District- Aurangabad.
 2. Mitendra Mehta @ Mitendra Kumar S/O- Late Shivpujan Mehta R/O Village- Bahadurpur, P.S-Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Mukul Kumari, Advocate
For the State	:	Mr. Raj Kishor Singh, APP
For the Informant	:	Mr. Ramadhar Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rafiganj P.S. Case No. 480 of 2024, G.R. No. 2856 of 2024 registered for the offence punishable u/s 308(4), 325, 351(2), 111 of B.N.S., 2023 respectively u/s 387, 428, 429, 506 of IPC.

3. Allegedly, the petitioners mixed poison in the pond of the informant as a result of which 50 quintal fishes were found dead in the pond. They also threatened the informant to kill her by fire arms.

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 ulterior



motive. No such occurrence, in the manner as alleged, has ever taken place. It is relevant to mention here that cause of action has arose from Rafiganj P.S. Case No. 400 of 2022 which has been lodged against the husband of the informant and in that case wife of both petitioners have been made witness. So, informant has lodged this case due to previous enmity. There is no eye witness only due to previous enmity, the petitioners have been made accused in the present case. Petitioners have one criminal antecedent as mentioned in para 3 of bail application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail submitting that it is clear from impugned order that statement of witnesses has been recorded in the case diary in which they supported the prosecution case.

6. Considering the aforesaid facts and circumstances and nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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