

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12237 of 2025

Arising Out of PS. Case No.-430 Year-2024 Thana- ALAMNAGAR District- Madhepura

Avadhesh Mehata @ Awadhesh Mehta Son of Deo Narayan Mehta R/o vil-
lage- Bhagipur, P.S.- Alamnagar, District -Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Pawan Kumar, Advocate
		Miss Diksha Kumari, Advocate
For the Opposite Party/s:		Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Alam-
nagar P.S. Case No. 430 of 2024 instituted for the offences un-
der Sections 103(1) and 3(5) of BNS and Section 27 of the
Arms Act. He has one criminal antecedent, i.e., Alamnagar P.S.
Case No. 156 of 2022 under Sections 323, 324, 307, 354,
504/34 IPC and later on Section 302 IPC was added.

3. The allegation against the petitioner is that he had
threatened one Ramchandra Mehta of dire consequences and
subsequently in the FIR it has come that the named accused per-
sons namely Sanjeev Kumar Mehta and Mukesh Kumar Mehta
had shot upon the said Ramchandra Mehta after which he suc-
cumbed to the firearm injury.

4. It is submitted by learned counsel for the petitioner



that petitioner has falsely been implicated in this case and even taking the FIR into account he was stated to have threatened prior to the incident. It is further submitted by learned counsel for the petitioner that there is no specific overt act against the petitioner. It is also submitted by learned counsel for the petitioner that the petitioner carries one criminal antecedent and is in custody since 13.11.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner has threatened the deceased prior to his death.

6. Considering the aforesaid submissions of learned counsels and taking into account that there is no specific allegation of overt act against the petitioner and the petitioner is in custody since 13.11.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar, Judicial Magistrate, 1st Class, Udakishunganj, Madhepura (or his successor) in connection with Alamnagar P.S. Case No. 430 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner of the above-mentioned one case and in case at any stage it is found that the petitioner has concealed his criminal antecedent except one case, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

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(Sourendra Pandey, J)

