

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36235 of 2025

Arising Out of PS. Case No.-389 Year-2020 Thana- SAUR BAZAR District- Saharsa

1. Rajendra Mehta S/O Late Mintu Mehta @ Mentu Mehta
2. Poonam Devi W/O Rajendra Mehta
3. Ranvir Kumar S/O Rajendra Mehta
All R/O Village-Samda, ward n. 11, PS-Sour Bazar, Distt-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2025 Heard Mr.Binod Kumar Sinha, learned counsel for the petitioners and Mr.Harendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sour Bazar P.S.Case No.389 of 2020, FIR dated 09.10.2020 registered for the offences punishable under Sections 341,323,308,354,379,504,506,34 of the Indian Penal Code.

3. Allegation against the petitioners and other co-accused persons are that they assaulted the informant-Neelam Devi, her husband, Surendra Mehta and when her Dewar and sons went to rescue them then they were assaulted by the



miscreant with lathi, danda, fists and slaps.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR. Specific allegation of assault is attributed against petitioner No.1, namely, Rajendra Mehta that he assaulted to the husband of the informant by means of Farsa on his head and he has received the injury and there is no specific allegation of any assault or overt-act attributed against petitioner Nos.2 and 3 rather there is general and omnibus allegation against petitioner Nos.2 and 3. Learned counsel for the petitioners submits that although the husband of the informant has received the injury but the injury report of the husband of the informant, namely, Surendra Mehta suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and all the injuries are reported to be simple in nature, which are inflicted upon all the injured persons, let the



petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Saharsa in connection with Sour Bazar P.S.Case No.389 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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