

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45957 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- BHARGAMA District- Araria

1.

Rajendra Mehta S/o Late Raghuni Mehta Resident of village- Tonha Khutaha Baijnathpur, Ward no 07, P.S.- Bhargama, District- Araria
2.

Prahlad Kumar Mehta @ Prahlad Mehta S/o Rajendra Mahta Resident of village- Tonha Khutaha Baijnathpur, Ward no 07, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, App.
For the Informant	:	Mr. Sita Ram Pd. Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2025

1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bhargama Police Station Case No. 366 of 2024, disclosing offences under Sections 103(1), 61(2), 3(5) of the BNS, 2023.

3. As per the prosecution story, the informant alleged that while the members of their family, along with villagers, were returning after offering puja, the accused persons, including the petitioners, surrounded them and later at the order of co-accused Dhyani Prasad Yadav and Manish Kumar @ Kari Mehta crushed the eight years old son of the



informant who succumbed to the injuries.

4. Learned Counsel for the petitioners submits that specific allegation of dashing the deceased with the tractor is upon co-accused Manish Kumar and no overt act has been alleged against the petitioners. The order giver Dhyani Prasad Yadav has been granted anticipatory bail by a Co-ordinate bench of this court. The petitioners in a PACS election had supported the rival group due to which they have been made accused and the accident caused by the co-accused Manish Kumar @ Kari Mehta has been given the colour of an FIR.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the petitioners are specifically named in the FIR. Petitioners are having criminal antecedents also.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the named co-accused and the order giver Dhyani Prasad Yadav has been granted anticipatory bail by a Co-ordinate bench of this court and no overt act has been alleged against the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria, in connection with Bhargama Police Station Case No. 366 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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