

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72192 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- Marnga District- Purnia

Jagdish Mehta S/o Jodhan Mehta Resident of Ward No. 09, Satkodariya,
Purav Tola, Gangali, Purnea, P.S.- Maranga, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 326(6), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is aged about 75 years and the informant alleges that the petitioner had constructed a tin house on Government land in front of the house of the informant in which grain was stored. It is next alleged that despite objection and *panchayati*, the petitioner did not demolish the house built on the Government land, further on 12.04.2025 Natho and Anand, both sons of the petitioner, started adding bricks to the tin house on which the husband of the informant, Manju objected,

thereafter, the petitioner gave orders to Natho to kill her husband and to put the house on fire, thereafter, Natho assaulted her husband by sharp edged weapon causing injury on head and Anand set ablaze the tin house, further, when the informant went to save her husband, named accused persons including the petitioner assaulted them by *lathi* and *danda* causing injury, further, on account of fire, the gate of the petitioner's house also got burnt and fire-brigade was informed.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that if what has been alleged is true, in that event, the informant or her husband ought to have complained to the authority competent that the petitioner has encroached the Government land by constructing a tin house but then it is alleged that the husband of the informant was objecting and the *panchayati* was convened but then the petitioner did not adhere to the *panchayati*. It is further submitted from perusal of the allegation as alleged in the F.I.R., it would manifest that it was the tin house which was put on fire on account of which the gate of the petitioner also got burnt. It is submitted that it was the informant who was the aggressor. It is also submitted that the tin house was not built on Government land and that perhaps explains why no complaint was made to the authority competent. It is also

submitted that allegation of assault against the petitioner is not specific. It is next submitted that the petitioner throughout his life has remained a person with clean antecedent and when he is nearing his grave he came to be implicated in the instant case with an allegation that he along with other accused persons have assaulted.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maranga P.S. Case No. 120 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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