

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82349 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- SINGHESHWAR District- Madhepura

Kachauri Lal @ Keshawalal Mehta Son of Sukhdeo Mahto Resident of
Village- Ramnagar, P.S.- Pipra, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
under Sections 302, 201 and 120-B of the Indian Penal Code.

3. As per prosecution case, allegation is that, on
05.07.2023, informant came to know that dead body of his
younger brother was lying beside the Singheshwar temple in
suspicious condition, and thereafter, informant went there and
identified the dead body as of his younger brother Ashok Mehta.
Informant suspects that this petitioner along with co-accused
Manoj Mehta and Gholat Mehta committed murder of his
brother under deep rooted conspiracy due to land dispute.

4. Learned counsel appearing on behalf of the petitioner



submits that informant is not an eye witness to the occurrence and due to land dispute and old enmity, this petitioner has been made accused in the present case. As a matter of fact, deceased himself executed sale deed in favour of the petitioner on 20.07.2021 on payment of full amount and it is completely wrong to state that the sale deed was got executed forcefully by the deceased two months prior to the date of occurrence as alleged by informant. On the contrary, informant himself sold 1 katha 10 dhur land of the deceased in favour of one Kashi Devi on 04.08.2023 without the consent of the wife of deceased. During course of investigation, it has come that co-accused Manoj Mehta got half katha of land executed in his favour from the deceased but did not make full payment and the deceased was demanding full payment for which co-accused Manoj Mehta threatened him of dire consequences and in C.D.R., the mobile number of co-accused Manoj Mehta was also found beside the place of occurrence as per tower location. As per postmortem report, there is no external or internal injury on the dead body of deceased and viscera has been preserved. The petitioner has got no criminal antecedent.

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



6. Having considered the aforesaid facts and circumstances of the case and the materials available on record, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Singheshwar P.S. Case No. 189 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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