

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74833 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- SHANKARPUR District- Madhepura

1. Yogendra Mehta @ Yogi Mehta S/o Late Kailu Mehta R/o Village- Biraili Bazar, Ward No. 05, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
2. Naresh Mehta S/o Mahendra Mehta R/o Village- Biraili Bazar, Ward No. 05, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
3. Mithu Kumar S/o Yogendra Mehta R/o Village- Biraili Bazar, Ward No. 05, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 83474 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- SHANKARPUR District- Madhepura

Rajesh Mehta Son of Deepnarayan Mehta Resident of village- Biralli Bazar, Ward No. 15, P.S.- Madhepura (Bharrahi O.p.) District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 89721 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- SHANKARPUR District- Madhepura

MAHENDRA MEHTA S/O- LATE KAILU MEHTA VILLAGE- BIRAILI, WARD NO -5, P.S.- MADHEPURA (OP- BARRAHI), DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74833 of 2024)

For the Petitioner/s : Mr.Dinesh Prasad Verma, Adv

For the Opposite Party/s : Mr.Pradeep Narain Kumar,APP

(In CRIMINAL MISCELLANEOUS No. 83474 of 2024)

For the Petitioner/s : Mr.Sanjiv Kumar, Adv

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 89721 of 2024)

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv



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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-02-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seeks bail in connection with Shankarpur P.S. Case No. 08 of 2024 registered for the offence under Sections 341, 323, 302, 447,324, 325, 307, 326, 354B, 379, 504, 506 and 120B/34 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged against 10 named accused person against whom there is an allegation that all the accused person in-connivance with each other has killed the husband of the informant.

4. Learned counsel appearing on behalf of petitioners in Cr. Misc. No. 74833 of 2024 submit that petitioners have falsely been implicated in the present case. He next submits that the informant stated that accused persons indiscriminately hurled the arrows but no multiple injuries sustained by anyone and it is also relevant to mentioned that the informant claim that she was present at the place of occurrence and seen the occurrence but she did not sustained any injuries. He further submits that there is land dispute going on between accused persons and the informant due to which they have been



implicated in this case. He next submits that both the son of the informant have contradicted the statement of the informant and during the course of the investigation, no witness have claim to be eye witness. He further submits that other co-accused have been granted bail vide order dated 05.08.2024 and 18.10.2024 in Cr. Misc. No. 35069 of 2024 and 51160 of 2024 from this Court. Petitioners have got no criminal antecedent and they are languishing in custody since 12.01.2024.

4.i. Learned counsel appearing on behalf of the petitioner in Cr. Misc. No. 83474 of 2024, contended the same arguments made by the learned counsel appearing in Cr. Misc. No. 74833 of 2024 and submitted that petitioner has got no criminal antecedent and is languishing in custody since 01.05.2024.

4.ii. Learned counsel appearing on behalf of the petitioner in Cr. Misc. No. 89721 of 2024 contended the same arguments made by the learned counsel appearing in Cr. Misc. No. 74833 of 2024 and submitted that petitioner has got no criminal antecedent and is languishing in custody since 13.06.2024.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioners and submitted that several



witnesses examined in para 6, 20, 21, 22, 30, 31, 51 and 52 in the case diary have supported the prosecution case. He next submits that injuries suffered by the deceased were grievous in nature and complexity of these petitioners prima-facie reveals in commission of alleged occurrence to be very serious in nature.

6. From perusal of the FIR, case diary, post-mortem report and the impugned dated 05.09.2024, it appears that petitioners are named in the FIR and there is direct allegations upon the petitioners namely Yogendra Mehta @ Yogi Mehta and Rajesh Mehta who shot arrow into the back and the chest of the informant's husband Laddu Mehta causing grievous injury resulting into the death of the informant's husband. From perusal of the case diary paragraphs 6, 20, 21, 22, 30, 31, 51 and 52, several witnesses have supported the case of the prosecution.

7. Considering the entire facts and circumstances of the case and the submissions made on behalf of the learned counsels as well as the fact that similarly situated co-accused has already been granted bail by this Court as there were no serious allegations leveled against them, so this Court is inclined to grant bail to the petitioner namely Naresh Mehta and Mithu Kumar in Cr. Misc. No. 74833 of 2024 and petitioner namely



Mahendra Mehta in Cr. Misc. No. 89721 of 2024 as no serious allegations are leveled against them, let the petitioners namely Naresh Mehta and Mithu Kumar in Cr. Misc. No. 74833 of 2024 and petitioner namely Mahendra Mehta in Cr. Misc. No. 89721 of 2024 be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura or to the concerned Court in connection with Shankarpur P.S. Case No. 08 of 2024.

8. So far as petitioners namely Yogendra Mehta @ Yogi Mehta in Cr. Misc. No. 74833 of 2024 and petitioner namely Rajesh Mehta in Cr. Misc. No. 83474 of 2024, are concerned, there are serious allegations leveled against them as they have shot the informant's husband on the vital parts by the arrow resulting into his death. Therefore, I am not inclined to grant bail to the petitioners namely Yogendra Mehta @ Yogi Mehta in Cr. Misc. No. 74833 of 2024 and petitioner namely Rajesh Mehta in Cr. Misc. No. 83474 of 2024.

(Ramesh Chand Malviya, J)

Sunnykr/-

U			
---	--	--	--

