

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42733 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

- =====
1. Pappu Gupta @ Papu Gupta Son of Late Ramchandra Prasad @ Ramchandra Sao @ Doman Sao Resident of Village - Math Mahala, P.S. Rafiganj, District - Aurangabad.
 2. Pappu Gupta Son of Lakhan Prasad @ Harik Sao Resident of Sheoganj Road, Bus Stand, P.S. Rafiganj, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 18-12-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners pray for anticipatory bail in a case registered under Sections 341, 323, 307, 385, 379 and 504/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that the entire case has been instituted on false allegations, as the petitioners are licensees of two liquor shops in the vicinity of the shops, in which the informant is the sales man and it is the informant who was trying to encroach upon the territory of the shops of the petitioners which resulted in scuffle between the parties, which was nothing of serious nature and the allegation regarding taking of Rs.21,000/- is totally false. Learned counsel for the petitioner further submits that the very allegation of

causing head injury by iron rod is not supported by the injury report and all the injuries have been found to be simple in nature, which do not attract the offence under Section 307 of the Indian Penal Code.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Pappu Gupta @ Papu Gupta, son of Late Ram Chandra Prasad @ Ram Chandra Sao @ Doman Sao and (2) Pappu Gupta, son of Lakhan Prasad @ Harik Sao, in the event of their arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each in connection with Raffiganj P.S. Case No.105 of 2015 to the satisfaction of the Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

V.P.Sinha/-

(Ramesh Kumar Datta, J)

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