

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52547 of 2015

Arising Out of PS.Case No. -431 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Tarun Kumar Gupta

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioner and learned A.P.P.

for the State.

The petitioner apprehends his arrest in connection with Bettiah Town P.S. Case No. 431 of 2015 registered for offences punishable under Sections 147, 148,149,323 and 307 of the Indian Penal Code.

The prosecution case is that the petitioner along with other FIR named accused persons variously armed with deadly weapon formed an unlawful assembly and assaulted the father and brother of the informant and caused them injuries and when the people of Mohalla came, they fled away. Thereafter informant along with his father brother and people of Mohalla went to the Police Station and gave application to the S.H.O of Town P.S and on his direction the informant was going to hospital with his injured



father and brother for treatment, accused persons came near emergency cell of the hospital on a white colour car and three motorcycles and Co-accused Geeta Devi ordered to kidnap father and brother of informant. At the same time co-accused Awakash Kumar and Vikash Kuamr assaulted his father by pelting bricks and this petitioner assaulted his father by means of iron rod due to which his father sustained injuries and fell down and on seeing, the people coming accused persons including this petitioner fled away.

It has been submitted by the counsel for the petitioner that he has clean antecedent which finds place at paragraph 3 of this petition. It has further been submitted that the injury of brother and father of the informant has been found to be simple and there is a counter case bearing Bettiah Town P.S. case No. 419 of 2015 lodged by one Akash Kumar agnate of the petitioner. A coordinate bench of this Court has granted privilege of anticipatory bail to other co-accused persons in Cr. Misc. No. 43885 of 2015 dated 02.11.2015 I do not propose to take different view on the same facts and circumstances.

Be that as it may, let the petitioner, namely, Tarun Kumar Gupta in the event of his arrest / surrender within a period of eight weeks from today before the Court below, be enlarged on bail on

furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 431 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Prakash/-

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