

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37241 of 2014

Arising Out of PS.Case No. -197 Year- 2012 Thana -RIGA District- SITAMARHI

=====

1. Pintu Kumar @ Pintu Kumar Gupta Son of Suraj Prasad R/o Village Riga
Mill bazar P.s. Riga, District Samastipur Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma

For the Opposite Party/s : Mr. Indra Kumar Singh(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-04-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Riga P.S. Case No. 197 of 2012 registered for the offences
punishable under Sections 147, 148, 149, 323, 324, 325, 341, 504
and 307 of the Indian Penal Code.

The allegation against the petitioner is that when
talk was going on between both the parties, Dinesh Sah started
abusing and the petitioner started assaulting Ram Babu Gupta with
rod, thereafter, Ravi Kumar and Suny Kumar started dragging the
informant and Sunny Kumar assaulted with Katta on the head.

Submission is of false implication and that there
was petty dispute between the parties, there is no allegation that
the petitioner repeated the blow. There was no intervening

circumstance. The father of the informant sustained fracture of hand and no injury on vital part of the body has been found and as such the petitioner deserves sympathetic consideration as in this case other co-accused namely, Dinesh Prasad Gupta @ Dinesh Sah, Suraj Prasad Gupta and Kiran Kumar Gupta have been allowed pre-arrest bail vide order dated 23.9.2014 passed in Cr. Misc. No. 24605 of 2014 by another Bench of this Court to which the learned APP opposes.

In the facts and circumstances stated above, considering that there is no allegation of repetition of blow and on the person of Ram Babu Gupta fracture injury has been found at his hand and as such, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 197 of 2012, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--