

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42884 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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1. Pradeep Kumar Gupta Son of late Basdeo Prasad
2. Vicky Kumar Son of Pradeep Kumar Gupta
3. Vishal Kumar Son of Pradeep Kumar Gupta All Resident of Village
Narkatiya, Police Station- Darpa, District East Champaran. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Informant : Mr. Patanjali Rishi, Advocate
For the Opposite Party/s : Mr. Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioners, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Darpa P.S. Case No. 26 of 2016, disclosing offences under
Sections 341, 342, 447, 323, 324, 325, 307, 379, 504 and 506/34
of the Indian Penal Code.

The allegation is that the informant runs a grocery shop
and the petitioner No. 1 had purchased certain items on credit
against which the informant was demanding payment. The
petitioners are said to have thereafter retaliated and assaulted him
variously. It is alleged that the petitioners assaulted the informant
with farsa etc. causing several injuries.

Learned counsel for the petitioners has submitted that
what has been alleged in the First Information Report is

exaggerated version of the occurrence.

A supplementary affidavit has been filed on behalf of the petitioners stating therein, while denying the allegation, made in the First Information Report that there is no likelihood of recurrence of such incident in future.

Considering the facts and circumstances of the case and the submissions made, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No. 26 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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