

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55090 of 2015

Arising Out of PS.Case No. -121 Year- 2015 Thana -PHULWARIA District- BEGUSARAI

- =====
1. Surbir Gupta
 2. Vishal Kumar
 3. Kalicharan Gupta
 4. Diwaker Gupta @ Diwakar Kumar
 5. Pankaj Gupta All Sons of Mahesh Gupta resident of village -
Phulwariya - II, P.S. Phulwariya, District - Begusarai
 6. Jitendra Gupta @ Jitendra Kr. Gupta Son of Late Ram Sugarat Gupta
resident of village - Phulwariya - II, P.S. Phulwariya, District -
Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioners : Mr. Kumar Kaushik , Advocate
For the Informant : Mr. Sandip Kumar Gautary, Advocat
For the State : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-01-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 448, 504, 506, 306, 120B/34 of the Indian Penal Code.

Allegation against the petitioners is that a case was lodged against them by the deceased son of the informant for which he (deceased) was threatened by the petitioners to withdraw the case otherwise he (deceased) would face dire consequence and thereafter the deceased committed suicide.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. They have falsely been implicated in the present case. From perusal of Annexure-2 it would appear that two days prior to the alleged occurrence, an F.I.R was instituted

by the deceased against Dharmvir Gupta, who is elder brother of petitioner nos. 1 to 5. The petitioners were not named in the F.I.R. instituted by the deceased. No specific allegation has been made against the petitioners in the F.I.R.

On behalf of the State and the informant, it is submitted that Annexure-2 is related to a different occurrence and the petitioners of the present case named or not named in Annexure-2 do not have much relevance as far as the present case is concerned. Specific allegation has been made against the petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners, same is rejected.

Any how, petitioners are directed to surrender in the court below, i.e., Judicial Magistrate, Ist Class, Begusarai, in connection with Phulwariya P. S. Case no. 121 of 2015 within a period of four weeks and pray for regular bail which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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