

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37123 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -BHORE District- GOPALGANJ

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1. Dipak Gupta @ Deepak Gupta @ Deepak Kumar Gupta, Son of Jai
Karan Gupta, R/o Village Mathauli, P.S. Bhore, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with
Bhorey P.S.Case No.247 of 2016, registered for offences
punishable under Sections 307, 341, 323, 324, 504 and 34 of the
Indian Penal Code.

Allegation against the petitioner is of assault by '*Farsa*' on
the head.

Submission of the learned counsel for the petitioner is that
no injury of '*Farsa*' has been found on the head of the son of the
informant rather the petitioner has also received injury and he was
admitted in the hospital for ten days and there is case and counter
case between the parties.

Heard learned A.P.P. also, who has opposed the



prayer for bail stating that opinion on the injury on the head of the son of the informant is still kept reserved.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of four weeks and make prayer for regular bail, which will be considered by the learned court below on the basis of opinion of the injury as well as the fact that the petitioner has also received injury and considering the same, he will pass an appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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