

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48402 of 2018

Arising Out of PS.Case No. -162 Year- 2018 Thana -DIGHA District- PATNA

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Ajay Kumar Gupta, Son of Arjun Prasad Gupta, Resident of Muhalla –
Kurjee, Vikash Nagar, Road No. – 09, P.S. – Digha, District – Patna.

.... Petitioner

Versus

State of Bihar & Anr

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Pandey

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2018 The petitioner is apprehending his arrest in connection with Digha P.S. Case No. 162/18, registered for offences punishable under Sections 341, 323, 504, 307, 379/34 of the Indian Penal Code.

Informant happens to be the wife of petitioner and allegation against the petitioner is of assault to the informant.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and no such occurrence as alleged by the informant has ever taken place and earlier also a case under Section 498A was lodged by the informant, in which, the petitioner was granted the privilege of anticipatory bail with condition that he will keep and maintain the informant but the informant does not want to live with him and filing the false cases one after another.



Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for anticipatory bail. Learned counsel for the informant has submitted that the petitioner assaulted the informant, for which, she was admitted into the hospital, where the fardbeyan was recorded.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Patna, in connection with Digha P.S. Case No. 162/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the



event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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