

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.814 of 2019

Arising Out of PS. Case No.-172 Year-2018 Thana- KADAMKUAN District- Patna

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1. Dr. Vijay Kumar Gupta, son of Sri Bengali Prasad Gupta
 2. Rahul Kumar @ Rajul Raj, son of Dr. Vijay Kumar Gupta
- Both are resident of Mohalla - Dariyapur, P.S. Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioners and the
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Kadamkuan P.S.Case No.172 of 2018 registered for the offences punishable under Sections 341, 323, 379, 448, 506/34 of the I.P.C.

Allegation has been made that when the informant on account of construction of the house made protest the petitioners along with two unknown persons came to her house and started abusing and assaulting her upon which her son came to save her he was also assaulted by them and golden chain from his neck and Rs.2000/- from his pocket were also snatched by them.

Learned counsel for the petitioners submits that, in fact, when the petitioners were getting the wall of their house plastered in



course of which some waste material fell upon the wall of the informant due to which hot exchange took place between the parties and, as such, the present case has been filed against the petitioners. He further submits that the independent witnesses have also not supported the prosecution case.

Looking into the facts and circumstances of the case, let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of seeks weeks from today, on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the C.J.M., Patna, in Kadamkuan P.S.Case No.172 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with a further condition that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been canceled.

(Shivaji Pandey, J)

Aks/-
S.Katyayan

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