

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22890 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- GOH District- Aurangabad

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1. Sudhir Prasad Gupta @ Bhola Jee, aged about 35 years (Male)
 2. Ashok Gupta @ Ashok Kumar Soni, aged about 40 years (Male)
 3. Anil Gupta @ Anil Kumar aged about 39 years (Male)
All sons of Late Kamta Prasad, Resident of Village and P.O-Dewahara, P.S.-
Goh, District-Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Anil Kumar Sinha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 379, 384, 504, 506 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Goh P.S. Case No. 08 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past dispute in retaliation of the earlier FIR in Goh P.S. Case No. 02 of 2019 instituted on 01.01.2019 at the instance of the wife of petitioner no. 1. The present FIR has been instituted ten days thereafter merely to put pressure upon the informant. The accusation of firing by petitioner no. 1 Sudhir Prasad Gupt is not corroborated as there is no injury report on record. The accusation of demanding extortion against the petitioners is mere embellishment. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 08 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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