

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36179 of 2019

Arising Out of PS. Case No.-392 Year-2018 Thana- KARAHGAR District- Rohtas

-
1. RAJESH GUPTA S/o Kamta Sah
 2. Chandan Gupta S/o Kamta Sah
 3. Kamta Sah S/o Late Subhag Sah all R/o village- Bahera, P.S.- Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 379, 504, 506/34 of the Indian Penal Code and Section 30 of the Arms Act.

The prosecution case as lodged by the informant is that on 16.10.2018 at about 6 PM while he was returning on his house from Sasaram and when reached at Bahera drain accused petitioners with Rakesh Gupta abusing him and told that his wine and Ganja was caught hold by the police due to him. On



protest, accused petitioners instigated to assault, thereafter, all accused persons started assaulting him and during course of assault accused Rakesh Gupta gave knife blow causing injury in his palm and took away Rs. 20,000/- from his pocket.

Learned counsel for the petitioners submits that the petitioner no. 2 Chandan Gupta and petitioner no. 3 Kamta Sah have been arrested, therefore, this case has become infructuous as against petitioner no. 2 and 3.

There is specific allegation against co-accused Rakesh Gupta who took away Rs. 20,000/- from the pocket of the informant and no specific allegation against the petitioner no. 1. Learned counsel for the petitioner further submits that co-accused Rakesh Gupta has already been granted the bail by the learned court below itself.

In the facts and circumstances of the case, let the petitioner no. 1, 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 of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sasaram in connection with Kargahar Police Station Case No. 392 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

