

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41642 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- ITARHI District- Buxar

1. Suresh Gupta, son of Late Gopal Sah, Resident of Village - Itarhi, P.S.- Itarhi, Distt - Buxar.
2. Jyut Gupta @ Jitu Gupta @ Jitu Kumar Gupta, son of Suresh Gupta. Resident of Village - Itarhi, P.S.- Itarhi, Distt - Buxar.
3. Vikash Gupta, Son of Suresh Gupta Resident of Village - Itarhi, P.S.- Itarhi, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Itarhi P.S. Case No.109 of 2019 for the offence punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

The allegation against the petitioners is that on the date of occurrence, the petitioner along with other accused persons arrived at the shop of the informant having armed with knife, Danda, iron rod etc. and attacked the informant as well as his father causing injury in the hands and heads of both persons.

Learned counsel for the petitioners submits that there was free fight between the parties on the date of occurrence and there is a case and counter case inasmuch from the side of the



petitioner, i.e. petitioner No.2 has also lodged FIR bearing Itarhi P.S. Case No.110 of 2019 and both the FIRs filed by the side of informant as well as petitioner have been lodged in the short span of five minutes.

Learned counsel for the petitioners further submits that the side of the petitioners have also received injury on the heads and other parts of the body and both sides are injured.

After having heard learned counsel for the petitioners as well as learned counsel appearing for the State and taking into consideration the fact that there is free fight between the parties and there is a case and counter case in which both sides have received injury, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

