

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56177 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- KOPA District- Saran

SATYENDRA GUPTA @ SATENDRA KUMAR GUPTA, Male, aged about 56 years, S/o Babulal Sah, Resident of Village- Kumna, P.S.- Kopa, District- Saran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajit Kumar, Advocate.

For the Opposite Party : Mr.Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 307, 379, 337, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 06.12.2018 at about 10.00 A.M., the informant was at his home when his neighbour Chandrika Sah was getting a house constructed upon the disputed land. On query made by him, Satyendra Gupta (petitioner), Pradeep Gupta and Chandrika Sah assaulted with Sword upon his head causing forehead injury. In the meantime, Suganti Devi, Arti Kumari and F.I.R. named accused persons came with Lathi, Danda, rod, Garasi, Sword and stones and



started committing mar-pit with him. Pradeep Kumar Gupta assaulted him with Garasi upon informant's nephew, Rajiv Kumar Yadav, Consequently, his forehead got injured at left side. Pradeep Kumar Gupta snatched Mobile from informant's nephew. When the persons residing in vicinity came, accused persons fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 29.05.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Nature of injury is said to be simple. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Accused side is also said to have been injured in course of occurrence. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned A.C.J.M.-
V, Saran, in connection with Kopa P.S. Case No. 03 of 2019.

(Sudhir Singh, J)

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