

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54188 of 2019**

Arising Out of PS. Case No.-489 Year-2018 Thana- BETTIAH CITY District- West  
Champaran

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Amit Kumar Gupta aged about 22 years (M) Son of Sohan Lal Gupta,  
Resident of Mohalla- Ganj No. 02, Ladu Ram Gola Ward No. 25, P.S.- Bettiah  
Town, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Brij Kishor Mishra, Advocate  
For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      28-08-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 341, 323 and 307/34 of the Indian Penal Code  
registered in connection with Bettiah Town P.S. Case No. 489 of  
2018.

3. It is submitted that the petitioner has been falsely  
implicated in retaliation to the petitioner's own FIR in Bettiah Town  
P.S. Case No. 486 of 2018 making allegation against the informant a  
day prior to the present FIR. It is submitted that the informant, an  
employee of Adarsh Pathological Laboratory, had taken video of the  
wife of the petitioner while keeping urine for medical test and on  
complaint of the petitioner, the informant was handed over by the  
petitioner to the said doctor. It is further submitted that the accusation  
of assault with iron rod upon the informant is attributed to the co-  
accused (doctor). It is therefore submitted that the present FIR  
against the petitioner is revengeful and malicious. The petitioner  
claims clean antecedents.



4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, District West Champaran in connection with Bettiah Town P.S. Case No. 489 of 2018, 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 shall be a close relative of the petitioner.

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

(iii) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself 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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