

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60137 of 2019**

Arising Out of PS. Case No.-501 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Mahantha Gupta @ Rajiv Kumar, S/o Basudeo Gupta, R/o Mohalla- Subhash
Nagar, Road No. 9, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jagdish Prasad, Advocate Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s	:	Mr. Raj Kishore Singh, APP
For the Informant	:	Mr. Jitendra Narayan Sinha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 20-11-2019 This is an application for grant of anticipatory bail in

connection with Sadar P.S. Case No. 501 of 2019, disclosing

offences under Sections 302/34 of IPC and Section 27 of the

Arms Act.

In this case there is allegation against the petitioner
and four other accused persons of assaulting the father of the
informant, causing injury, due to which, he succumbed to the
injuries.

Submission of the learned counsel for the petitioner is
that no specific allegation has been attributed against the
petitioner. On the other hand, case diary itself disclosed that one
of the witness has stated before the police and named the
accused Sunil Gupta as the person who has assaulted by bat of



the pistol to the deceased.

Heard learned A.P.P. as well as learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that proclamation has already been made prior to lodging of the case before filing of this bail application before this Court.

Having heard both sides, in view of the allegations, this application is disposed of with a direction to the petitioner to surrender and pray for regular bail before the learned court below, which shall be considered by the learned trial court on the basis of the materials available on the record as well as on the submission made above, and if, possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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