

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70529 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- SHAHKUND District- Bhagalpur

SANTU GUPTA @ SINTU GUPTA @ RAJ KISHOR Son of Arjun Gupta @
Arjun Das Resident of Village- Harnath, P.S.- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Shahkund P.S. Case NO. 168 of 2019, disclosing offences under Sections 147,149,341,307,447,504,506 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner appears to be correct in his submission that some dispute over passage between the parties might have given rise to the said occurrence. Case and counter case have been registered by the rival parties. In the present case, members of the same family have been implicated, who are said to have assaulted the informant with iron rod. There is allegation against petitioner of having assaulted the informant with iron rod in her head causing injuries.

Learned counsel for the petitioner has submitted



that no grievous injury is found in the head of the informant and in any event, no offence under Section 307 of the Indian Penal Code can be said to be made out.

Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur in Shahkund P.S. Case No. 168 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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