

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32995 of 2020**

Arising Out of PS. Case No.-30 Year-2020 Thana- PHULWARISHARIF District- Patna

SHIVCHANDRA PRASAD GUPTA Son of Late Raghuvar Sah Resident of  
Village - Balmichak Narayan Nagar, P.S.- Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajendra Kumar Jain, Advocate  
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

4      06-07-2021                      Heard Mr. Rajendra Kumar Jain, learned  
Advocate for the petitioner and the learned APP for the  
State.

The petitioner seeks bail in anticipation of his arrest in connection with Phulwarisharif P.S. Case No. 30 of 2020 dated 14.01.2020 instituted for the offences under Sections 147, 149, 324, 307, 504 and 506 of the Indian Penal Code.

The accusation against the petitioner is that he along with his brother and others assaulted the informant when he had gone to the house of the brother of the informant to demand money which was due to him for undertaking the construction work of the brother of the informant.

Learned counsel for the petitioner has



submitted that he has only been named in this case because of his being the brother of Murari Prasad Gupta who had given the work contract to the informant.

Apart from this, it has been submitted that there is a delay of 13 days in lodging the FIR.

Considering these aspects of the matter, this Court had on 05.03.2021, called for the case diary and granted provisional bail to the petitioner.

Learned counsel for the petitioner has submitted that there is no injury report on record and that the petitioner has unnecessarily been named by the informant in this case because of his being the brother of Murari Prasad Gupta with whom the informant has some monetary dispute.

Regard being had to the aforestated facts, the provisional bail of the petitioner is hereby confirmed. He shall remain on the same bail bonds.

The application stands allowed.

**(Ashutosh Kumar, J)**

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