

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47151 of 2021

Arising Out of PS. Case No.-495 Year-2020 Thana- KUDHNI District- Muzaffarpur

1. Basudeo Prasad Gupta Son Of Late Khobari Sah Resident Of Village - Chhajan Gonu, P.S.- Kudhani, Distt.- Muzaffarpur, State- Bihar, Pin 8844127
2. Rajeev Kumar Gupta Son Of Basudeo Prasad Gupta Resident Of Village - Chhajan Gonu, P.S.- Kudhani, Distt.- Muzaffarpur, State- Bihar, Pin 8844127
3. Ravi Kumar Gupta Son Of Basudeo Prasad Resident Of Village - Chhajan Gonu, P.S.- Kudhani, Distt.- Muzaffarpur, State- Bihar, Pin 8844127
4. Vivek Kumar Gupta Son Of Basudeo Prasad Gupta Resident Of Village - Chhajan Gonu, P.S.- Kudhani, Distt.- Muzaffarpur, State- Bihar, Pin 8844127

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 447, 323, 324, 325, 307, 379, 504, 354 and 34 of the Indian Penal Code.



Petitioners are said to have assaulted the informant's mother with intention to kill her by means of iron rod resultantly into several injuries. They also abused the informant with filthy language.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that complaint was filed by Vivek Kumar Gupta, the Civil Surgeon-cum-Chief Medical Officer, Muzaffarpur vide Letter no. 818 and informed the SHO, Kudhani (Turki O.P) P.S. for the production of concerned injured person before the Medical Board on 19.02.2021. He submits that injured Uttam Chandra Gupta appeared before the Medical Board and denied for the said Medical Examination and fled away. These facts are also came in the police diary. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kudhani (Turki O.P.) P.S. Case No. 495 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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