

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2483 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

1. SHOBHRAJ GUPTA @ SHOVE RAJ GUPTA S/O LATE RAM SUDHIR SAH Resident of village- Bishunpur Ward No- 42, P.O and P.S.- Nagar, District- Begusarai, State- Bihar- 851129
2. MANISH RAJ GUPTA @ MONU S/O LATE RAM SUDHIR SAH Resident of village- Bishunpur Ward No- 42, P.O and P.S.- Nagar, District- Begusarai, State- Bihar- 851129

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Narayan, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-05-2023 Heard Mr. Amit Narayan, learned counsel for the petitioners and Mr. Aditya Narayan Singh, learned Additional Public Prosecutor appearing for the State.

Petitioners apprehend their arrest in connection with FIR Nagar P.S. Case No. 312 of 2022 dated 28.5.2022 registered for the offence punishable under Sections 323, 307, 504 and 34 of the Indian Penal Code.

As per the First Information Report, the petitioners along with other accused persons arrived at the shop of the informant's brother and started abusing him. The petitioner No. 1 tried to fire at the informant's brother and one Suman Raj Gupta assaulted the informant with iron rod on her head causing



injury to the informant.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to some money transaction between the parties. He next submits that from perusal of the First Information Report, it would be evident that no overt act has been alleged against the petitioners and only allegation against petitioner No. 1 is that he tried to fire upon the informant's brother. There is no specific allegation against petitioner No. 2. The petitioners have got no criminal antecedents.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that there is allegation in the FIR that all the accused persons arrived at the shop of the informant's brother and co-accused Suman Raj Gupta @ Sonu assaulted the informant with iron rod on her head.

Regards being had to the submission made by the parties and taking into consideration the nature of allegation against the petitioners and the fact that the petitioners have got no criminal antecedents, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before



the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with FIR Nagar P.S. Case No. 312 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Anil Kumar Sinha, J)

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