

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55705 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- OBRA District- Aurangabad

RAJU GUPTA @ RAJU KUMAR S/O MAHESHWARI PRASAD @
MAHESHWRI SAU R/V- Rampur, P.S.- Jamhor, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State through virtual mode in view of
COVID-19.

The petitioner apprehends his arrest in connection
with Obra P.S. Case No.163 of 2021 instituted under Sections
341,323,504,506,379,354,354(D), 427/34 of the IPC.

As per the prosecution story, the informant, Sanjana
Kumari alleged that accused Shatrudhan Kumar @ Chhotu
always used to harass her with the proposal to marry him. The
further allegation is that somehow he got the victim girl's
number on which he used to call and talked dirty and was also
abusive.

On 09.07.2021, the informant has alleged that while
she had gone to tailor, the accused Shatrudhan Kumar @ Chhotu
caught hold of her, snatched her mobile and attempted to take



her on motorcycle. However, on her alarm she was saved. The further allegation is that just an hour later along with his brother, Raju Gupta (petitioner herein) and 10-15 unknown persons, barged in her house and assaulted her mother and snatched ornaments. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the main allegation is against Shatrudhan Kumar of harassing her, talking dirty as also being abusive and further on the fateful day she has alleged against Shatrudhan Kumar only that he tried to snatch her mobile and take her on the motorcycle.

So far as the allegation against the petitioner is concerned the same is omnibus in nature that they assaulted and snatched ornaments although from the record, no injury to her mother has come.

Learned APP on the other hand submits that there is allegation of assault against the petitioner.

Taking into account the fact that petitioner do not have criminal antecedent, main allegation is against Shatrudhan Kumar, from the record, it is not clear what kind of injury her mother sustained, the petitioner will be cooperating in the investigation and will diligently be appearing in the trial, this Court is inclined to grant him privilege of anticipatory bail.



Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Obra P.S. Case No.163 of 2021 to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance.

(Rajiv Roy, J)

Prakash Narayan /
Ajay Singh

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