

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.898 of 2023

Arising Out of PS. Case No.-630 Year-2022 Thana- SHERGHATI District- Gaya

1. Sudhir Kumar Gupta @ Sudhir Kumar S/O Vinod Kumar Gupta Resident of village- and P.O.- Gola Bazar, Sherghati, P.S.- Sherghati, District- Gaya.
2. Pradeep Kumar Gupta @ Pradip Pd. Gupta S/O Gopal Prasad Gupta Resident of village- and P.O.- Gola Bazar, Sherghati, P.S.- Sherghati, District- Gaya.
3. Anand Gupta @ Anand Kumar Gupta S/O Gopal Prasad Gupta Resident of village- and P.O.- Gola Bazar, Sherghati, P.S.- Sherghati, District- Gaya.
4. Santosh Kumar Gupta @ Santosh Kumar S/O Gopal Prasad Gupta Resident of village- and P.O.- Gola Bazar, Sherghati, P.S.- Sherghati, District- Gaya.
5. Chandan Gupta @ Chandar Kumar S/O Kameshwar Prasad Resident of village- and P.O.- Gola Bazar, Sherghati, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vijaya Laxmi Srivastwa
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 353, 504, 427 of the Indian Penal Code.

Prosecution case in brief is that all the five FIR named accused persons and 25 unknown persons pelted stones on the police party, abused and obstructed them in discharge of their official duty and they also damaged government vehicles.



It is submitted that as a matter of fact there is case and counter case. Both sides sustained injuries. The father of petitioner no. 1 Vinod Kumar Gupta has lodged FIR being Sherghati PS Case No. 620 of 2022 against one Rohit Kumar Singh and ten others alleging therein that on the alleged date of occurrence, Rohit Kumar Singh and others looted the fruits of his shop and also assaulted his son brutally, thereafter, these petitioners who are relative and neighbour of the informant came there, in the meantime, police party reached at the place of occurrence and falsely implicated these petitioners in collusion with Rohit Kumar Singh and his wife namely, Hema Kumari. It is next submitted that allegation of assault is general and omnibus. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. Case No. 630 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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