

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57787 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- PIPRA District- East Champaran

Arun Kumar Gupta Son of Ram Chandra Sah Resident of Village -
Bhagwanpur , P.S. - Pipra, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Opposite Party/s : Ms. Renu Kumari, APP
For the Informant : Mr. Kundan Rathore, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 71 of 2024 instituted for the offences under
Sections 341, 323, 324, 325, 307, 379, 427, 504, 34 of
the Indian Penal Code.

3. As per prosecution case, the accused persons
along with the petitioner armed with weapon came at the
door of the Informant and abused him. It is alleged that all
the accused persons assaulted the Informant by Axe due to
which he sustained injury on his body and blood started
oozing. It is further alleged that the accused persons caught



the Informant, put rope around his neck and hanged him with the fan. It is also alleged that the accused Soni Devi snatched gold chain worth of Rs. 40,000/- from the neck of the Informant. The allegation has been made against the petitioner of assaulting the Informant on his neck by means of Tanguli (Axe).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to oblique and ulterior motive. There is an inordinate delay of three days in lodging the F.I.R. without there being any satisfactory explanation for the same. From the injury report of the Informant, it appears that the injury is simple in nature. After this case, the co-accused Soni Devi has also lodged a case against the Informant of this case and others bearing Pipra P.S. Case No. 138 of 2024. The petitioner has one criminal antecedent and is languishing in judicial custody since 28.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State



has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the nature of injury, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. Case No. 71 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or



the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Rudra Prakash Mishra, J)

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