

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77201 of 2023

Arising Out of PS. Case No.-141 Year-2021 Thana- DORIGANJ District- Saran

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KRISHNA KUMAR GUPTA S/O TARKESHWAR SAH RESIDENT OF
VILLAGE- KAZI TOLA, P.S.- DORIGANJ, SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shatrughan Pandey, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Doriganj P.S. Case No. 141 of 2021 for the offences under Sections 307, 323, 341 and 379 of the Indian Penal Code.

3. As per the prosecution case, the petitioner assaulted the informant from behind with an iron rod causing fracture of his head and informant became unconscious. The petitioner took away Rs. 5,000/- and a gold ring from the informant. The occurrence took place in the background of land dispute which was pending before the Court.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case and no occurrence as alleged has ever taken place. The injuries found on the person of the informant are simple in nature and from the facts and circumstances of the case no offence under Section 307 IPC is made out against the petitioner. The allegation of theft is only a super addition. Land dispute is admitted between the parties. The petitioner is having no criminal antecedent .

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of intention to cause death and further considering non-serious nature of injuries and the background of land dispute, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Saran at Chapra /concerned court in connection with Dorignaj P.S. Case No. 141 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Prakash/-

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