

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78169 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- MINAPUR District- Muzaffarpur

Bachchu Gupta @ Bachhu Gupta @ Bachchhu Gupta @ Rambabu @
Rambabu Gupta S/O Late Jagarnath Sah R/O Village - Turki Khararu, P.S -
Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-11-2024 Heard Mr. Yugal Kishore, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Minapur P.S. Case No. 267 of 2024 for the offence punishable
under sections 126(2), 115(2), 118(1), 109, 303 (2), 329 (3), 329
(4), 74, 76, 352, 351 (2), 351 (3) and 3(5) of the Bharatiya
Nyaya Sanhita lodged on 09.08.2024 by the informant,
Tejnarayan Prasad Gupta.

3. As per the prosecution story, the informant alleged
that while he was at home, the accused persons including the
petitioner armed variously came and attacked. Allegation
against this petitioner is of using sword on his head causing
injury. The other family members including Poonam Devi was



assaulted on the hand while his son Nagmani was injured by the other accused persons and his other son, Dhananjay Kumar was also assaulted. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that admittedly, there is a title suit pending between the parties, exaggerated FIR is there, the injury does not match with the allegation made in the FIR and there is delay in lodging of the FIR.

5. Learned APP on the other hand has taken this Court to the Annexure-2, the injury report of the informant to show that he suffered head injury and stitch wounds are there and the fracture has also been recorded in the said injury report.

6. Considering the allegation that has come against the petitioner causing injury on the head of the informant, the same supports with the injury report issued by the Government Hospital, for the present, this Court is not inclined to extend him privilege of bail.

7. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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