

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75002 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- AAJAM NAGAR District- Katihar

Mukesh Gupta @ Mukesh Kumar Gupta S/o Late Vijay Gupta Resident of village- Garhbaina Tola, Kadhmara tola, PS- Azamnagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned Counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354(B), 307, 379, 504, 506/34 of the I.P.C.

3. The prosecution case as disclosed in the F.I.R. is that on 19.06.2024, when the daughter of the informant was going to purchase some articles, the petitioner Mukesh Gupta held her hand forcibly and was trying to take her towards his house. When the victim girl raised a *hulla*, it is stated that the family members of Mukesh Gupta came out of the house and assaulted the girl with a sharp cut instrument resulting in serious injury on her head.

4. Learned counsel for the petitioner submits that it would appear from the F.I.R., itself that there is general and omnibus allegation on the family members of the petitioner of having assaulted the informant's daughter and so far as the allegation on the petitioner is concerned, it is confined to holding her hand forcibly and trying to take her towards his house. It is further submitted that during the course of investigation, the injury report of the victim girl has also been brought on record, which would show that there is lacerated wound on the frontal bone of the scalp in the nature of abrasion and the mode of injury is said to be hard and blunt substance and in opinion of the doctor, the injury is simple in nature.

5. Learned APP for the State and learned counsel for the informant opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. I/C, Katihar in connection with Azamnagar P.S. Case No. 225 of 2024, subject to the condition laid down under

Section 438 (2) of the Code of Criminal Procedure/Section 482
(2) of the B.N.S.S., 2023 with further condition that the
petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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