

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46613 of 2017**

Arising Out of PS.Case No. -398 Year- 2017 Thana -BETTIAH CITY District-  
WESTCHAMPARAN(BETTIAH)

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Bhaskar Gupta @ Bhaskar Kumar, S/o- Sri Vijay Kumar, resident of  
Village- Dak Banglow Road, New Colony, Bettiah, P.S.- Bettiah Town,  
District- West Champaran.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s: Mr. Arbind Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
**ORAL ORDER**

2      22-09-2017      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Bettiah Town P.S. Case no. 398 of 2017, registered under Sections  
341, 323, 302, 406, 420, 504 and 120-B/34 of the Indian Penal Code.

The allegation of informant Girdhari Prasad Verma is  
that his elder brother Gopal Prasad was in serious condition and due to  
that reasons he was rushed for treatment boarding on Bolero vehicle.  
At that time Prashant Kumar also asked for better treatment at Patna  
and accompanied with him boarding on the Bolero. Gopal Prasad,  
brother of the informant was admitted in Puspanjali Nursing Home. In  
course of treatment, he handed over two cheques to Prashant Kumar  
for medical expenses, which were withdrawn by him. He also got two  
signed cheques and withdraw Rs. 1,50,000/-, but Gopal Prasad died on  
17.03.2017 uncared in the hospital anyhow with the help of the



villagers, he received dead body of his brother from PMCH, Patna and he came to know that Prashant Kumar withdraw Rs. 62000/- on 23.03.2017 Prashant Kumar also obtained RS. 50,000/- creating fear, while he returned Rs. 2000/- but Rs.48000/- is still due, but Prashant Kumar in spite of several request did not return the said money. When the informant again went to his Bank then came to know that Rs. 3,00,000/- was withdrawn on 05.04.2017 and Rs. 8,30,000/- was withdrawn on 11.04.2017.

Learned counsel for the petitioner submits that, in fact, the petitioner is the brother of Prashant Kumar and due to that reasons, he has falsely been implicated in this case without any specific overt act.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 398 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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