

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34230 of 2015

Arising Out of PS.Case No. -1312 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Munna Kumar Gupta @ Munna Gupta S/o Late Bihari Gupta Resident
of Mohalla Bastimor, P.S. Sasaram (T), District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 16-12-2015

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 307 and 353 of the I.P.C and sections 25
(1-b) A, 26 and 27 of the Arms Act.

Acting on a tip off that the petitioner is firing on the
common people the informant and other police personnel went
there and saw the petitioner standing on his roof and throwing
stones and opening firing and further he opened fire on the
informant also but any how he was arrested and from his
possession one loaded revolver of six rounds and four live
cartridges were recovered and in the revolver there were three
fired cartridges and three alive cartridges.

Submission is of false implication and that nothing

was recovered and he has been made victim of the circumstances, no injury has been caused to any one, the prosecution story appears not probable and reliable that the petitioner was simultaneously throwing stones and was making firing, he is suffering in custody since 01.01.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that no injury has been caused to any one and the petitioner by remaining in custody at this stage now has been sufficiently penalized and as such he is directed to 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 C.J.M. Rohtas at Sasaram in Sasaram Town P.S. Case No. 1312 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Abhay/-

(Jitendra Mohan Sharma, J)

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