

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29485 of 2017**

Arising Out of PS.Case No. -495 Year- 2016 Thana -DANAPUR District- PATNA

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1. Rahul Gupta, son of Late Bablu Gupta, Resident of Pathiya Bazar, P.S.-  
Danapur, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      24-07-2017              The petitioner seeks regular bail in connection with  
  
Danapur P.S. Case No. 495 of 2016, registered for offences  
  
punishable under Sections 302 and 120(B) of the Indian Penal  
  
Code and Section 25(1-B), 26 and 27 of the Arms Act.

Allegation against the petitioner and other co-accused  
persons is of firing on the deceased causing his death.

It has been submitted on behalf of the petitioner that  
informant is not the eye witness of the case and petitioner has  
falsely been implicated in this case only on the basis of suspicion  
and confessional statement of co-accused of this case. Further  
petitioner has been in judicial custody since and other co-accused  
has already been granted bail by this Court vide order dated  
24.04.2017 passed in Criminal Miscellaneous No. 12307 of 2017,



which will impugned order itself.

Learned counsel for the State opposed the prayer for bail and submitted that there is direct allegation of firing against the petitioner on the other hand, there is no such allegation on other co-accused, who has been granted bail.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is accordingly rejected.

**(Vinod Kumar Sinha, J)**

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