

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41051 of 2017

Arising Out of PS.Case No. -404 Year- 2016 Thana -JAMUI District- JAMUI

=====

1. Gandhi Gupta Son of Raju Gupta Resident of Mohalla- Sirchand Nawada
Infront of K.K.M. Collge, P.S. and District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr Murli Dhar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.01.2017 in connection with Jamui P.S. Case No. 404 of 2016
for offences punishable under Sections 147, 148, 149, 341, 324,
307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while the friend of the informant, Jasuraj has gone to purchase
medicines, he had a fight with the petitioner and others. When the
informant went and asked, all of them started abusing and
petitioner and another co-accused, Bauaa Gupta took out pistol
and the petitioner fired on the informant, which hit him on the



right shoulder.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent. Prior to the aforesaid case, on the same day, the petitioner was implicated in two other cases as the informant side, were influential persons and on high handedness of the police. He further submits that the injury report although found to be grievous but there is only one injury on the shoulder. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 404 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient



immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

