

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44016 of 2018

Arising Out of PS. Case No.-838 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

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Dewa Gupta S/o Hari Kishore Gupta, R/o Vill.- Chatouni Bazar, Ward No. 18,
Badhai Tola, P.S.- Chatouni, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mr. Kumar Kaushik, Adv.
	:	Ms. Swati Sinha, Adv.
For the Opposite Party/s :	:	Mr. Sri Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 26-09-2018 Heard learned counsel for petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Motihari Town P.S. Case No. 838 of 2017 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The FIR was lodged against two unknown persons. It is alleged in the FIR that two unknown persons came on the motorcycle and made indiscriminate firing upon son of the informant, as a result of which his son died during course of treatment.

It has been further submitted on behalf of the



petitioner that petitioner is not named in the FIR and nothing has been recovered from his possession. It has been submitted that deceased was involved in the sale purchase of land and was accused in 10 cases. Name of the petitioner has surfaced in this case on the basis of confessional statement made by co-accused and his own confession and except confession there is no other incriminating material against petitioner. Charge sheet has been submitted. Petitioner is in custody since 20.01.2018.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.20,000/- (Twenty thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari, in connection with Motihari Town P.S. Case No. 838 of 2017.

(S. Kumar, J)

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