

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22627 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- BARH District- Patna

Surendra Kumar Gupta @ Suro Mukhia Son of Late Ram Sharan Gupta
Resident of Barh, Near Jagarnathan High School, P.O/P.S.- Barh, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 15-07-2019 Supplementary affidavit is filed on behalf of the
petitioner. The same be kept on record.

In the light of statement made in the supplementary
affidavit, counsel for the petitioner is permitted to make
necessary correction in paragraphs-1 & 3 of the main
application in course of the day.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302, 307, 326, 34 of the Indian Penal Code and 27 of
the Arms Act.

The prosecution case in brief is that in course of drawing



water from Handpump, the informant was shot fire which hit in the stomach of the informant.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 22-01-2019. Charge sheet has already been submitted. The date of occurrence is 02-04-2018, for which, a case for the offence under Section-307 & other allied sections of the Indian Penal Code was instituted. The victim was discharged from the hospital on 14-04-2018. Thereafter, the victim/deceased died on 29-08-2018 i.e. after four months from the date of occurrence. There is no postmortem report on record to show that the death took place due to alleged incident. Later on, a petition vide Annexure-3 to the main application has been filed on behalf of son of the deceased in the court below where he has not supported the allegation made in the FIR.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate, Barh, Patna in connection
with Barh P.S. Case No. 98 of 2018.

(Sudhir Singh, J)

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