

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39352 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- SARAI District- Vaishali

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GULSHAN KUMAR @ GULSHAN KUMAR SINGH (Male), aged about 22 years, S/o Prem Kumar Singh, R/o Village- Rajepur Berai, P.S.- Sarai, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 20.05.2019 in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307 and 379 of the IPC.

The prosecution story, in brief, is that on 17.05.2019 marriage of the informant's niece was fixed. When the marriage party as procession reached near Canal of the village, his neighbourers accused Vishwavijay Kumar Singh @ Vikky, Digvijay Kumar Singh @ Monu Kumar, Ankur Kumar Singh, Gaurav Kumar, Gautam Kumar Singh, Rahul Kumar Singh, Gulshan Kumar Singh (petitioner), Manoj Kumar Singh, Sanny Kumar Singh, Vivek Kumar Jha and Kundan Jha all after



forming an unlawful assembly and committing riot in prosecution of the common object snatched the box of ornaments and other articles etc worth Rs. 5 Lacs and assaulted the members of the marriage party through Lathi and pistol etc and fled away. When in order to save the marriage party, informant's brother-in-law(Sala) Ashok Kumar Singh reached there, accused persons by assaulting through butt portion of the pistol caused fracture injury on his head which was treated at Hajipur Sadar Hospital.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No allegation of assault is alleged against the petitioner. The petitioner is a member of unlawful assembly. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M.
Vaishali at Hajipur, in connection with Sarai P.S. Case No. 187
of 2019.

(Sudhir Singh, J)

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