

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68197 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- RAMGARHWA District- East Champaran

Sanjay Gupta @ Sanjay Kumar Prasad S/o- Rameshwar Prasad R/o Village-
Piparpati, P.S.- Ramgarhawa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ramgarhawa P.S. Case No. 73 of 2019, registered under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act, pending in the court of S.D.J.M., Raxul, Motihari,
East Champaran.

The accusation is that the informant, Saddam Alam,
and his brother, Shamim Alam were in the way of his house and
when they reached near Keshri Hind Bandh, Karmullah Sai,
Sanjay Gupta (petitioner) and 6 to 7 unknown stopped them. At
that time, petitioner fired through country made pistol but the
same was missed. Thereafter, Karmullah Sai gave repeated



dagger blow at his brother, Shamim Alam and other unknown also caused injury through lathi. While his brother, Shamim Alam was rushed to M.J.K. Hospital, Bettiah, from where, he was referred to PMCH, Patna, where he died.

Learned counsel for the petitioner submits due to dispute in Panchayat election, as wife of the petitioner was also a candidate in Panchayat election this petitioner has falsely been implicated in the present case with allegation that while he shot fire at the deceased, brother of the informant but the same was missed.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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