

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72282 of 2019

Arising Out of PS. Case No.-367 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Dhruv Prasad Gupta @ Dhruv Narain Pd. Gupta @ Dhruv Narain Gupta @
Dhrup Prasad Gupta Son of Late Puran Ram Resident of Village Naya Bazar
Kesariya, P.S. - Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with Sahebganj
P.S. Case No. 367 of 2019 registered for the offence punishable
under Sections 341, 342, 307, 120(B)/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner and co-accused, namely, Ram Narayan
Rai called the husband of the informant at the Janki Inter
College for interaction over the property dispute and after
conversation, when her husband was regressing to his house, on
the way, two unknown motorcycle borne criminals resorted
firing on his back making him injured. Her husband has taken
the name of the petitioner as well in the occurrence.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to land dispute. There is no eyewitness of the occurrence. There is nothing cogent on record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Mukesh Kumar recorded by the police, which has no evidentiary value in the eye of law. Petitioner does not happen to be assailant. Petitioner happens to be old person aged about 79 years and is a diabetic patient. Petitioner has been languishing in custody since 24.08.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released 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 A.C.J.M. 1st cum Sub-Judge 1st, (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 367 of 2019.

(Prakash Chandra Jaiswal, J)

rohit/-

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

