

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3324 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- PANDARAK District- Patna

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Dharmendra Kumar Gupta @ Dharmendra Prasad Gupta Son of Arjun Prasad Gupta @ Arjun Prasad Sao @ Arjun Sao Resident of Village - Mamrakhabad, P.S. - Pandark, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-03-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Pandarak P.S. Case No. 86 of 2019**, registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

Petitioner is said to have fired upon the informant from his country-made pistol which hit above his left thigh. The injury caused to him gunshot injury.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. There is case and counter case. The case filed by the petitioner was earlier in point of time. The present incident is of 26.07.2019, but the FIR



was lodged on 04.08.2019. There is delay of eight days for which no plausible explanation has been given. It is further submitted that the injury report is of a private hospital. There is different version in fardbeyan and the injury report. In fardbeyan, it is alleged that injury caused above left thigh of the informant, but in the injury report, it is mentioned that injury caused on the left buttock of the informant. Petitioner is in custody since 26.11.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate I, Barh, Patna** in connection with **Pandarak P.S. Case No. 86 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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