

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11565 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- MURLIGANJ District- Madhepura

DEEPAK KUMAR GUPTA, aged about 38 years, Gender-Male, Son of Pancham Prasad Gupta @ Pancham Pd. Gupta, Resident of Village - Haripurkala, Ward No. 07, P.S.- Murliganj, District – Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shailendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 307/34 of the IPC and 25(1-b)a, 26, 27 and 35 of the Arms Act.

The prosecution story, in brief, is that in course of patrolling, the police and other officials saw that five persons alongwith Motorcycle were standing without number plate, they on seeing the police party, one miscreant opened fire upon the police party which hit into the thigh of the informant causing serious injury and another miscreant again fired which did not hit to anyone. Another miscreant fled away from the place of occurrence. However, the police apprehended two miscreants.



One country made pistol, two live cartridges and Mobile set are said to have been recovered from possession of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 01.11.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. One country made pistol alongwith two live cartridges and one Mobile are said to have been recovered from possession of the petitioner. There is no compliance of Section 100 of Cr. P.C.

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

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. Madhepura, in connection with Murliganj P.S. Case No. 366 of 2019.

(Sudhir Singh, J)

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