

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29436 of 2020

Arising Out of PS. Case No.-814 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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SUNNY GUPTA S/o Brajesh Prasad Resident of Village- kalibagh, P.S.-
Bettiah Town (Kalibagh O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2020 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner and Mr. Raj Kishore Singh, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with

Bettiah (Town) PS Case No. 814/2019 registered for the offence

punishable under Sections 302/34 (a) of the IPC and Section 27

of the Arms Act.

3. The allegation, as per FIR, is that the accused

persons, who are named in the FIR, fired upon the son of the

informant, due to which, he died.

4. Learned counsel for the petitioner submits that the

petitioner is not named in the FIR and he has been made

accused in this case on the basis of confessional statement of the

co-accused, Vickey Singh, who has stated that this petitioner



along with one Brijesh Kumar had advised the accused persons to consult a particular Advocate in order to facilitate their surrender and bail. Learned counsel further submits that from perusal of the FIR, it would be evident that the informant is an eyewitness to the occurrence and he has specifically named other accused persons who fired upon his son. Learned counsel next submits that similarly situated co-accused, Brijesh Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 14387/2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused person has been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, SUNNY GUPTA shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) PS Case No. 814/2019, subject to the conditions as laid down under Section 438(2) CrPC.



7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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