

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85710 of 2019

Arising Out of PS. Case No.-604 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Gulshan Hari @ Gulshan Kumar aged about 21 years (male) Son of Jogi Hari
@ Yogendra Hari @ Jogendra Mahatar, resident of Mohalla- Salepur, Police
Station- Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-03-2020 Heard Dr. Manoj Kumar, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

The petitioner seeks regular bail in connection with
Kotwali (Barari) P.S. Case No. 604 of 2019 registered for the
offence punishable under Sections 307, 504, 506/34 of the
Indian Penal Code, 1860 and Section 27 of the Arms Act.

The prosecution story is that three persons entered
into the hospital in which the informant was a Security Guard
and tried to park the motorcycle, which was objected by the
informant. It has further been alleged that the said three persons



came along with 6-7 unknown persons in the hospital and the co-accused Golu Kumar opened fire upon the informant but the bullet missed the target and the same hit one Indrajeet Kumar Das below his right chest. The petitioner is not named in the F.I.R.

Dr. Manoj Kumar, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive inasmuch as he is not named in the F.I.R. Learned counsel further submits that no overt act has been alleged against the petitioner and the specific allegation of firing is upon the co-accused Golu Kumar. Learned counsel further submits that the petitioner is in custody since 16.07.2019.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner is not named in the F.I.R., no overt act has been alleged against him and the petitioner is in custody since 16.07.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Bhagalpur, in connection with Kotwali (Barari) P.S. Case No.
604 of 2019.

(Anil Kumar Sinha, J)

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