

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30927 of 2020

Arising Out of PS. Case No.-122 Year-2020 Thana- BAKHTIARPUR District- Saharsa

CHANDAN GUPTA @ CHANDAN KUMAR S/o Late Shibu Gupta @ Shiv Shankar Gupta Resident of Village-Lagma, Ward No.12, P.S.-Bkhtiyarpur, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Mishra, Advocate Mrs. Kalpna Kusun, Advocate
For the State	:	Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-01-2021 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Bkhtiyarpur P.S. case No.122 of 2020 registered under Sections 307, 504 of the Indian Penal Code and 27 of the Arms Act, pending in the court of Chief Judicial Magistrate, Saharsa.

Allegation against the petitioner is that he fired on the informant by a three nut pistol which hit her on left armpit.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.05.2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It has further been



submitted that there is accidental fire. The petitioner had no intention to commit murder of the victim. The injury is said to be on non-vital part of the body.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of firing alleged against the petitioner. The injury report supports the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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