

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6117 of 2021

Arising Out of PS. Case No.-30 Year-2019 Thana- DUMRAO District- Buxar

CHANDAN KUMAR GUPTA @ CHANDAN GUPTA Son of Late Birendra Prasad Gupta Resident of Village - Kasiya, P.S.- Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 447, 341, 323, 504, 506, 509, 427 & 307/34 of the Indian Penal Code.

The prosecution case, in nutshell, is that the accused persons came to the show room of the informant and started indiscriminate firing in which his son received injury in his hand and some articles have been damaged.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, namely, Roushan Kumar & Priyanshu Kumar, which has no evidentiary value in the eye of law. Co-accused, namely, Priyanshu Kumar Singh @ Priyansh Kumar, has been enlarged on bail by a co-ordinate bench of this court vide order dated 16.11.2019 passed in Cr. Misc. No. 50732 of 2019. The petitioner has been languishing in custody since 06.01.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge**, and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the



case is pending in connection with Dumraon (Naya Bhojpur
O.P.) P.S. Case No.30 of 2019.

(Anjani Kumar Sharan, J)

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