

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12457 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- PHULPARAS District- Madhubani

CHANDRA GUPTA @ CHANDRA GUPT SAH Son of Chitranjan Sah
Resident of Village - Bhawanipur, P.S.- Laukahi, District - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

9 19-07-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his/her arrest in connection
with Phulparas P.S. Case No. 64 of 2020, registered for the offences
punishable under Sections 341, 323, 324, 307, 386, 379, 506, 120 (B)
of the Indian Penal Code.

As per allegation, three persons who were on a motorcycle
started driving parallel to the informant. One miscreant fired shot but
it did not hit the informant. Second miscreant opened indiscriminate
fire and the informant after leaving his motorcycle was trying to flee
away by a Truck. The accused persons chased him and fired at him.
The informant sustained injuries on his thumb. The informant asked



the miscreants as to why they wanted to kill him, they told him that they have been ordered to kill him. They snatched cash and mobile of the informant and they also fired two shots in his stomach. Co-accused Lakshmi Sah was arrested and he disclosed the name of other miscreants including the present petitioner.

Learned counsel for the petitioner has submitted that there is no allegation on the petitioner of open fire on the person of the informant. His name has figured in the confessional statement of co-accused.

On the other hand, learned Addl.P.P. has submitted that the petitioner was amongst the persons who opened fire on the person of the informant. The informant sustained three firearm injuries. He has also submitted that the witnesses in case diary supported the occurrence. The petitioner has also a criminal antecedent.

The injury report is annexed with the record which shows that the informant has sustained three injuries and those are caused by firearm. I do not think it to be a fit case for anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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