

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18721 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. SHRIKANTI DEVI Wife of Sunil Prasad Gupta Resident of village - Gaur Bujurg, P.S.- G.B. Nagar (Tarwara), District - Siwan.
 2. Sunil Prasad Gupta Son of Late Ram Dhyan Sah Resident of village - Gaur Bujurg, P.S.- G.B. Nagar (Tarwara), District - Siwan.
 3. Jai Shankar Prasad Gupta @ Jai Shankar Gupta Son of Late Ram Dhyan Sah Resident of village - Gaur Bujurg, P.S.- G.B. Nagar (Tarwara), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18828 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. SUMAN THAKUR Son of Late Amirika Thakur Resident of Village - Chandpur, P.s.- G.B.Nagar (Tarwara), Distt.- Siwan.
 2. Devendra Tiwari @ Devendra Kumar Tiwari Son of Makeswar Tiwari Resident of Village - Madhopur, P.s.- G.B.Nagar (Tarwara), Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 18721 of 2022)

For the Petitioner/s : Mr.Kundan Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

(In CRIMINAL MISCELLANEOUS No. 18828 of 2022)

For the Petitioner/s : Mr.Kundan Kumar Sinha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with G.B. Nagar P.S. Case no. 312 of 2021 instituted for the offence punishable under Sections 302 and 120(B) of the IPC and Section 27 of the Arms Act.

As per allegation in the FIR, scuffle took place over a dispute of making viral a video clip of a girl of Sapna Muxsical Group with petitioner Sunil Kumar Gupta. The petitioners are alleged to have threatened the son of the informant earlier and later on, on 12.12.2021 at night petitioners in connivance with other accused persons have killed the informant's son by giving bullet shots. .

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There is no material against the petitioners which supports their participation in the alleged occurrence. Not a single independent witness has supported the prosecution case. Petitioners have been falsely implicated in this case merely on suspicion and with a view to defame their political career.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with G.B. Nagar P.S. Case no. 312 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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