

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57564 of 2021

Arising Out of PS. Case No.-422 Year-2019 Thana- GHORASAHAN District- East
Champanan

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AWADHESH SAH @ AWADHESH GUPTA Son of Ram Bilash Sah @
Ramvilash Prasad Resident of Village- Kaswa Kadamwa, P.S.- Ghorasahan,
District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv
For the Opposite Party/s : Mr. Sanjay Kr Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-03-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 307, 387, 120/34 of the Indian Penal Code and Section 25(1-b) a 26, 27 and 35 of the Arms Act.

Informant who is police officer in his written report has stated that on 13.11.2019 at about 7:40 am, while he was on patrolling duty, he was informed that a firing near Ambedkar Chowk has taken place and thereafter he reached said place where people had assembled and on the road two fired cartridges and some pamphlets were found on which it was



printed 'Awadhesh Gupta Jindabad'. People assembled there informed that two persons on one motorcycle came and made indiscriminate firing and threw away the pamphlet, however, while they were fleeing with the motorcycle, it dashed against a passerby, as a result of which, face of one of the accused which was concealed was unveiled and Helmet of the accused fell on the ground and they were identified by the villagers assembled there.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case and no offence under Section 387 of the IPC is made out. There is no demand of ransom or payment of any ransom, and nothing is alleged against him in this regard in FIR. Petitioner is in custody since 09.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Ghorasahan P.S. Case No. 422 of 2019**, with following conditions:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the



investigation / trial of the case, failing which the court below
shall be at liberty to cancel the bail bond of the petitioner.

(S. Kumar, J)

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