

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15994 of 2023

Arising Out of PS. Case No.-14 Year-2022 Thana- BARURAJ District- Muzaffarpur

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Dharmveer Prasad Gupta @ Dharmveer Gupta @ Dharmveer Kumar Gupta
Son Of Late Yogendra Prasad Gupta R/O Vill.- Dharphari, P.S.- Deoria, Dist.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 397, 398, 400, 414, 353, 307, 120(B)/34 of

the Indian Penal Code and Sections 25(1-B) a, 26, 27,

35 of the Arms Act.

The prosecution case as per F.I.R is that on

information that some criminals have assembled to

commit dacoity, the police team reached the place of

occurrence and on seeing the police party, they started



fleeing away and resorted to indiscriminate firing upon them. The police also retaliated and eight criminals including the petitioner have been apprehended and on search, arms and ammunition and 10 empty cartridges, one Bolero and one Glamour motorcycle were recovered.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that it is highly improbable that in the cross-fire, the injury has been sustained only from the side of four accused persons but not a single firearm injury has been sustained by any police personnel. In fact, the petitioner, a passer-by, has sustained fire-arm injury in the cross-fire and on suspicion, he has been implicated in this case. Other co-accused persons have been allowed bail in Cr. Misc. No. 33385 of 2022 and Cr. Misc. No. 33352 of 2022. The petitioner is languishing in custody since 24.01.2022.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West, Muzaffarpur in connection with Baruraj P.S. Case No. 14 of 2022.

(Sunil Kumar Panwar, J)

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