

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30847 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- SARSI District- Purnia

=====

RAMESH GUPTA @ RAMESH KUMAR GUPTA Son of Late Dev Nandan
Sah Resident of Village - Dashrathpur, P.S.- Dharhara, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Kejriwal

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, in brief, is that when the informant was standing at a tea stall of Sanjay Sah at Sarsi Chowk, she saw Ashish Singh @Athiya came running from Bank side armed with pistol and came near her husband and fired upon his head as a result of which her husband become injured and fell down. Again on the order of Sudesh Singh, he fired twice. At that time two unknown persons were also with him. Her husband died on the place of occurrence and after



firing, they fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been made accused in this present case on the basis of suspicion. The petitioner has been roped in this case on the basis of judicial confessional statement of the co-accused Ashish Singh, which has got no evidentiary value in the eye of law. Except this, nothing is against the petitioner which shows his involvement in the offence. Moreover, similarly situated co-accused namely, Manjeet Singh has already been granted bail by a co-ordinate bench of this court vide order dated 19.9.2022 in Cr. Misc. No. 18449 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 22.1.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarsi P.S. Case No. 158 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Prunea.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

