

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42745 of 2023

Arising Out of PS. Case No.-325 Year-2022 Thana- SAHPUR District- Bhojpur

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VISHAL GUPTA SON OF LATE JYOTI GUPTA RESIDENT OF VILLAGE
AND PO- SHAHPUR, DIST BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhisek, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on account of previous dispute an altercation took place in which, it is alleged that thirteen named accused persons including the petitioner came variously armed and started abusing him, thereafter, it is alleged that when the informant protested Krishna Kumar shot him with his pistol on orders of Vidya Sagar Gupta and Bhikhari Sah causing gun-shot injury on



his left hand, thereafter, Gulshan Kumar Gupta shot the informant causing injury below his neck and thereafter Vidya Sagar, Sanjay Gupta, Neeti Singh and Rishabh Kumar also opened fire upon the informant and other family members but missed.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of firing is alleged against Krishna Kumar and Gulshan, it is also submitted that thereafter four accused have also alleged to have fired but missed but then the petitioner is not alleged with committing any overt act.

5. Learned counsel for the petitioner next submits that petitioner has been falsely implicated in the present case for the reason that informant of the present case is the main accused in the murder of the present petitioner's father.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahpur P.S. Case No. 325 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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