

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52245 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- BANGAWON District- Saharsa

Suman Kumar Gupta Son Of Rameshwar Prasad Gupta @ Dwarika Pd. Gupta
At Village- Bangaon Purwi Bariyahi Bazar, P.S.- Bangaon, District- Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 307/34, 302 of the Indian Penal Code, Section 27 of Arms Act.

The prosecution case in nutshell is that on the order of the petitioner, co-accused Saurav Kumar Gupta shot fire at the husband of the informant, due to which he succumbed to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has



falsely been implicated in the present case in the background of land dispute between them. There is an inordinate delay of 9 days in lodging the F.I.R. There is no specific overt act of allegation of shot fire against the petitioner rather the allegation of shot fire is attributed against co-accused, namely, Saurav Gupta. Moreover, petitioner is languishing in judicial custody since 19.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration 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 enlarged on bail in connection with Bangaon P.S. Case No. 21 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction



of the learned A.C.J.M. I, Saharsa.

(Sunil Kumar Panwar, J)

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