

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57666 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- HATHUA District- Gopalganj

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TIGER GUPTA @ MUNNA KUMAR SINGH Son of Late Narendra Singh
Resident of Village - Pewli, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-02-2023 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with Hathua PS case no. 26 of 2022 instituted for the offences punishable under Sections 385, 387 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief, according to the informant, is that on 11.02.2022 at around 1.45 pm while the informant was closing his sweet shop, he heard sound of firing and then he came out and saw that a chit of paper had been thrown in front of his shop and empty cartridge was also lying there. It is also alleged that after seeing the said chit of paper, it transpired that extortion money to the tune of Rs. 50 lacs was demanded and it had been threatened that in case, the extortion



money was not paid, the owner of the shop in question would be killed.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 31.05.2022. The learned counsel for the petitioner has further submitted that the petitioner is accused in three other cases but he is on bail in the said cases. It is also submitted that the name of the petitioner has transpired in the present case upon the confessional statement made by the co-accused person namely Vivekpuri, however, neither the petitioner has been identified to be the perpetrator of crime nor any weapon has been recovered from the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that minuscule evidence is available on record so as to connect the petitioner with the alleged crime, hence, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/-



(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Gopalganj in connection with Hathua PS case no. 26 of 2022.

(Mohit Kumar Shah, J)

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