

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55141 of 2022

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

Saurav Kumar Gupta @ Sappu son of Rameshwar Prasad Gupta @ Dwarika Prasad Gupta Resident of 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. N.K.Agrawal. Sr.Advocate

: Mr.Dr. Bidhu Ranjan,Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-02-2023 Heard Mr. N.K. Agrawal, learned senior counsel

appearing on behalf of the petitioner and the learned A.P.P. for

the State.

The petitioner seeks bail in a case registered for the
offence under Sections 307/34, 302 of the Indian Penal Code,
Section 27 of the Arms Act.

The prosecution case, in short, is that on 11.02.2022 at
about 7.15 PM, Suman Kumar Gupta @ Pappu gave order upon
which his brother Saurav Kumar Gupta @ Sappu alongwith 2-3
unknown persons came at the betel shop of the husband of the
informant and Saurav Kumar Gupta @ Sappu fired upon her
husband which hit and crossed at his upper part of head, Saurav
Kumar Gupta @ Sappu and others fled away towards west.
The relatives and nearby people collected and brought the



injured to the hospital from where the injured was referred to Patna for better treatment. Consequently, the husband of the informant succumbed to his injuries.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is that the petitioner fired upon the husband of the informant on the order of his brother.

Learned APP for the State has vehemently opposed the prayer for bail of the petitioner on the basis of the material available on the record and the case diary and submits that there is direct allegation against the petitioner is that he fired upon the husband of the informant and the postmortem report also corroborates the allegation as alleged in the FIR.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bangaon P.S.Case No.21 of 2022 pending in the court of learned A.C.J.M.-I, Saharsa.

Prayer is refused.

(Rajesh Kumar Verma, J)

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