

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68879 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- KOILWAR District- Bhojpur

=====

GUPTA ROY @ SUNIL ROY S/o- RAMJEET RAY Village- Semra Ps-
Barhara Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Koilwar PS case no. 57 of 2022, disclosing
offences punishable under Section 307 and other allied sections
of the Indian Penal Code and Section 27 of Arms Act.
3. The prosecution story, as per the First Information
Report, is that on 21.01.2022 at about 15:20 hrs. at cluster
no. 50, Kamaluchak sand ghat, there was firing and cross-firing
between two groups, in which two persons had received pellet
injuries and died, for which, Koilwar PS case no. 55 of 2022
was registered. It has further been alleged that the local people
and chowkidar informed that there has been firing between the
groups of Satendra Pandey and Videshi Rai, who usually used to



fight with each other. 28 named accused including the petitioner of Satendra Pandey group along with 30-35 unknown persons armed with weapons came and resorted to firing and several rounds of firing were made and when the informant reached at the place of occurrence, the accused persons taking advantage of dense forest, fled away.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to political reasons, inasmuch as petitioner is sitting Mukhia of Koilwar Gram Panchayat. He further submits that allegation against the petitioner is general and omnibus in nature as 28 named and 30-35 unknown persons resorted to firing. He next submits that the petitioner does not belong to any group including groups of Satendra Pandey and Videshi Rai. No overt act has been alleged against the petitioner, as would be evident from First Information Report. With regard to the criminal antecedent, learned counsel submits that the case has been lodged against him due to political rivalry. He also submits that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 10.02.2023, passed in Cr. Misc. no. 3172 of 2023.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the fact that general and omnibus allegation has been levelled against the petitioner and similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail 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, Bhojpur at Ara in connection with Koilwar PS case no. 57 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

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

