

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39622 of 2024

Arising Out of PS. Case No.-169 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Bharti Gupta, Wife of Girija Shankar Gupta @ Girija Shankar Prasad Gupta
@ Munna, Resident of Village - Agarwa, P.S.- Motihari Town, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 203-06-2024
1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motihari Town P.S. Case no. 169 of 2024 registered under sections 307, 326, 349 and 504 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that over a trivial dispute, on the orders of the petitioner and on her coming and handing over the firearm to her husband, the petitioner’s husband resorted to firing causing firearm injury to



the informant as also his wife.

4. Learned counsel for the petitioner submits that the petitioner, who is a lady, has been falsely implicated in the case. Even as per the allegations in the F.I.R, no overt act is alleged against her. At best she is said to be an order giver. The petitioner is in custody since 21.3.2024 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R but there is direct allegation against her and it was she who supplied the firearm to her husband and it was on her orders that her husband resorted to firing causing firearm injuries to both the informant as also his wife.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR being only of an order giver, no allegation of firing being against this petitioner who happens to be a lady of clean antecedent and her being in custody since 21.3.2024, the petitioner is directed to be enlarged on bail in connection with Motihari Town P.S. Case no.169 of 2024 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 Chief Judicial
Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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