

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52563 of 2024

Arising Out of PS. Case No.-214 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Chandan Gupta Son of Late Virendra Prasad Gupta @ Birendra Prasad Gupta
R/O Vill.- Kasiya, P.S.- Dumraon, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 03-12-2024 Heard Mr. Manish Rai Sharma, learned counsel for the petitioner, Mr. Choubey Jawahar, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Buxar(Ind) P.S. Case No. 214 of 2018 instituted for the offences under Sections 326, 307, 120B of the Indian Penal Code and 27 of the Arms Act and later on Section 302 of the IPC was added.

3. Prosecution case, in short, is that three unknown miscreants surrounded the informant and started firing indiscriminately upon the informant and his friends. It is further alleged that due to the firing, two persons sustained injuries, later on, one Satendra Yadav succumbed to injuries.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that during investigation, in paragraph nos. 44 and 100 of the case diary, injured witnesses Babar Ali stated that Anam Khan and Vicky Khan fired upon the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.05.2023 and has sixteen criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that in paragraph no. 161 of the case diary, spy has disclosed the involvement of this petitioner in the alleged offence and further, petitioner himself in paragraph no. 166 of the case diary has confessed his guilt and, therefore, the involvement of the petitioner in the alleged offence cannot be denied.

6. Considering the aforesaid facts and circumstances of the case, there being ample material against the petitioner available in the case diary as also large number of criminal antecedents of the petitioner, this Court is not inclined to grant



bail to the petitioner.

7. Accordingly, the prayer for grant of bail is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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