

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49293 of 2023

Arising Out of PS. Case No.-380 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

VISHAL KUMAR GUPTA @ BHOTI @ VISHAL KUMAR Son of Shri
Bhuneshwar Prasad Resident of village - Dighwara, P.s. - Dighwara, Distt. -
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 394 and
307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, while the informant
was going to Jehanabad Fruit Market with his loaded pick up
along with his brother-in-law and driver for selling Litchi, in the
way pick up was intercepted by a white colour Maruti car and
on the point of pistol the miscreants snatched Rs. 7,000/- from
the informant and Rs. 3000/- from his brother-in-law. On raising
alarm, the knife was stabbed in stomach and he was also shot by
bullet on stomach. His brother-in-law was also shot and knife



injuries on various body parts. The driver was forcefully boarded on Maruti and thereafter, the miscreants fled away.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Neither the petitioner is named in the F.I.R. nor T.I.P. has been done till date. His name has been transpired in this case on the basis of confessional statement of other co-accused Pushkar Kumar Singh who has already been granted bail by learned court below. Nothing has been recovered from the possession of the petitioner. Charge sheet has been submitted against the petitioner and other accused persons. Petitioner has been remanded in this case on 12.09.2022 from Hajipur Sadar P.S. Case No. 399 of 2022 and since then he is languishing in judicial custody.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Haipur in connection with Hajipur Sadar P.S. Case No. 380 of 2022.

(Sunil Kumar Panwar, J)

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