

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55063 of 2024

Arising Out of PS. Case No.-681 Year-2023 Thana- GAYA KOTWALI District- Gaya

Sudhanshu Kumar @ Dipanshu Raj @ Dipansu Raj @ Sudhanshu Sharma
Son of Satendra Sharma Resident of Mohalla - New Area Piparpanti, P.S. -
Kotwali, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 681 of 2023 registered for the offences
punishable under Sections 341, 323, 307, 504, 506 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 02.12.2023 at about
08:45 P.M. when the informant was sitting at his door of his
home, the petitioner along with other accused person came at
his house and started abusing and threatening him. It is further
alleged that co-accused Chandan Kumar ordered the petitioner
to shoot the informant, however, the said fire hit on the wall of
the house of the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that although there is allegation on the petitioner that he has fired targeting the informant, but there is no injury on the part of the body of informant or any other person and no cartridge has been recovered from the place of occurrence. The petitioner is in custody since 30.03.2024. He further submits that the petitioner has criminal antecedents of seven cases out of which in one case he is acquitted and in other cases he is on bail.

5. Learned APP for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner is a habitual offender and there is direct allegation against him that he has fired upon the informant at the place of occurrence and his act of firing has been recorded in the C.C.T.V. and there is sign of fire on wall. The witnesses have supported the prosecution case.

6. Having heard learned counsel for the parties considering the material against the petitioner and the fact that he has fired upon the informant which is corroborated by the evidence, this Court is not inclined to enlarge the petitioner on regular bail. Accordingly, the prayer of the petitioner for regular



bail is rejected.

(Sunil Dutta Mishra, J)

Ashishkr/siwani/

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