

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65272 of 2024

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

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Girija Shankar Gupta @ Girija Shankar Prasad Gupta @ Munna S/o Late
Ramayodhya Prasad Gupta @ Late Ayodhya Prasad Gupta R/o Agarwa, P.S.-
Motihari Town, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr. Sangeet Deokuliar, Adv.
For the State	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Prateek Tandon, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-10-2024 Heard learned Senior counsel for the petitioner,

learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for

the offence punishable under Sections 307, 326, 349 of the

Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner

assaulted the informant and his wife by means of fire arms due

to which they sustained injuries. It is alleged that the police

conducted raid at the house of the petitioner and recovered

double barrel gun, 62 live cartridges and 5 empty cartridges.

4. Learned Senior counsel for the petitioner



submits that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no injury report of the informant or any paper of being referred, issued by the Sadar Hospital, Motihari, is on record, which clearly demonstrate the falsity of the injuries and the narration of the case. The petitioner has no criminal antecedent and has been languishing in custody since 16.07.2024.

5. Learned APP for the State as well as learned counsel for the informant opposed the bail petition and submitted that the petitioner has fired upon the informant.

6. Considering the facts aforesaid and the fact that the petitioner is languishing in custody since 16.07.2024, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Motihari Town P.S. Case No. 169 of 2024.

7. The petitioner is directed to remain physically present in Court on each and every date during trial and in the



event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Anjani Kumar Sharan, J)

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