

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32230 of 2025**

Arising Out of PS. Case No.-75 Year-2023 Thana- SAKRA District- Muzaffarpur

Abhishek Gupta @ Abhishek Kumar S/O Sanjay Gupta @ Manoj Kumar  
Thaakur R/O Sarmastpur, P.s.- Sakra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      19-05-2025                      Heard the learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with Sakra P.S Case No. 75 of 2023 registered for offences under Sections 447, 504, 506, 387/34 of Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that on 11.02.2023 at about 01:00 AM, five bullets were fired near the house of the informant and he heard one person hurling abuses and threatening the informant to withdraw the case. The informant has taken the names of five accused persons including the present petitioner as they had been accused of an FIR No. 61 of 2023 for kidnapping of his minor daughter.



4. Learned counsel for the petitioner submits that the allegations on the petitioner are only based on suspicion and there is no eye-witness to the occurrence. It has been admitted in the First Information Report itself that the occurrence had taken place in the dead of the night and there was no question to identify any person. The informant has only suspected that since the petitioner was one of the accused in the earlier FIR lodged by the informant being Sakra P.S. Case No. 61 of 2023, hence he has been made an accused. There is no doubt a recovery of five empty cartridges from the place of occurrence however, no one has been hurt in the said transaction. The petitioner has bears one criminal antecedent which is the case lodged by the present informant itself (Sakra P.S. Case No. 61 of 2023 in which he has been granted bail). The petitioner is in custody since 23.02.2025.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the abovementioned facts and circumstance of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten



Thousand) with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur in connection with Sakra P.S Case No. 75 of 2023.

(Soni Shrivastava, J)

Raj Ranjan/-  

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