

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58541 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- ALAMGANJ District- Patna

Piyush Kumar Gupta @ Piyush Kumar @ Piyush Gupta S/o Sunil Prasad
Gupta @ Sunil Kumar R/o - Chhoti Nagla, P.S - Malsalami, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate
For the State : Mr. Madan Kumar, APP
For the Informant : Mr. Jay Ram Prasad, Advocate

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

ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant. Perused
the case diary.

2. The petitioner seeks bail in connection with Alamganj
P.S. Case No. 451 of 2024 instituted for the offences under
Sections 307, 302 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of firing upon the
Informant's husband due to which he sustained grievous
injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to local party politics as well as on suspicion. The petitioner is not named in the F.I.R. and his name has transpired in this case in re-statement of the informant. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has eighteen criminal antecedents and is languishing in judicial custody since 21.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner. The Informant in her re-statement contained in Para-13 of the case diary has fully supported the prosecution case in which she has taken the name of the petitioner. The specific allegation of firing is against the co-accused Niraj Choudhary, Vivek Patel and Piyush Gupta (petitioner). The postmortem report also supports the prosecution case. Charge-sheet has also been submitted against the petitioner in this case for offence under Sections 307, 302 of the I.P.C. and Section 27 of the Arms Act. Bail of other co-accused has been rejected by this Court vide order dated 23.01.2025, passed in Cr. Misc. No. 77824 of 2024.



6. Having heard rival contention of both the parties and considering the nature of offence which is serious and heinous, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner, above named, is *rejected* with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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