

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39266 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -MOKAMAH District- PATNA

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Gautam Kumar @ Pocha, Son of Late Murari Singh, R/o Mohalla- Moldiar
Tola, Ward No.10, Town and P.S.- Mokama, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Choudhary, Advocate.
Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsels for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Mokama P. S. Case No. 59 of 2017 instituted under Sections
341, 323, 504 and 506 of the Indian Penal Code and Section 25(1-
B) of the Arms Act.

The allegation, in brief, is that this petitioner all of a
sudden came to the house of the informant and threatened to shoot
him, but no firing could be effected and thereafter engaged in
scuffling and the informant snatched away his pistol and handed it
over to the police.

Learned counsel for the petitioner submits that due to
enmity, the petitioner has been falsely implicated in this case and
only two months prior, a complaint case was lodged against the



present informant in which the petitioner is a witness. So on that account, this false allegation has been levelled and there is no any allegation of making firing or recovery of any cartridge and he is the neighbour of the informant and he has got no criminal antecedent.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Gautam Kumar @ Pocha, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. D.Kumar, Judicial Magistrate, 1st Class/Incharge Successor court, Barh in connection with Mokama P.S.Case No. 59 of 2017 (G.R. No. 607 of 2017); subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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