

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67796 of 2019

Arising Out of PS. Case No.-253 Year-2019 Thana- BAKHTIYARPUR District- Patna

GAUTAM KUMAR, aged about 25 years, Male, Son of Late Ashish Yadav,
Resident of Village - Madhopur, P.S.- Bakhtiyarpur, Distt - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Kaushal Kishor, Advocate.
For the Opposite Party : Mr.Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 504 of the IPC, 37(c) of Bihar Prohibition and Excise Act, 2016 and 27 of the Arms Act.

The prosecution story, in brief, is that on 29.07.2019 at about 2.00 P.M., the informant tied his cow in front of his door below the road. The petitioner in drunken state, dashed on the leg of his cow with his Motorcycle. On being protest made by the informant, the petitioner created nuisance. He has fired with his pistol, abused and assaulted him. He informed the local police and the petitioner has been arrested by the police.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since



30.07.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Though there is allegation of firing being made by the petitioner in drunken state but none is said to have been injured. The petitioner has been made accused in the present case due to village politics. There is no recovery of any arms from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Special Case No. 6805 of 2019, arising out of Bakhtiyarpur P.S. Case No. 253 of 2019.

(Sudhir Singh, J)

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