

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18606 of 2020

Arising Out of PS. Case No.-457 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

Gautam Kumar Singh @ Jonty aged about 23 years (M) S/o Late Satyendar Kumar Singh, Residence of Barka Lauhar, P.S. Barhara, District- Bhojpur, At present Moh. Balbhadrapur, Dr. N.P. Mishra Chowk, P.S. Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-06-2020 Heard Mr. Alok Kumar Alok, learned counsel for the petitioner and Mrs. Anita Kumari Singh, learned counsel appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with Laheria Sarai P.S. Case No. 457 of 2019 registered for the offence punishable under Section 307/353/387/34 of the Indian Penal Code, 1860 and Section 27 of the Arms Act.

The allegation against the petitioner as per the First Information Report is that the Police got secret information on mobile that 8-10 persons were assembled near a shop in the New Market Area and the Police force upon such information proceeded towards the Commercial Chowk and found some persons boarding on 3-4 motorcycles, armed with pistols, were



proceeding towards Gudri Bazar and when the Police force tried to stop them, the pillion rider of the Apache motorcycle fired upon the Police, but it did not hit the Police party. The Police chased the culprits Raunak Singh, Samir Sahi and Raja Chaudhary, but they succeeded in fleeing away. It has further been alleged that Police party came back to New Market and found that petitioner along with eight accused persons were gathered at the shop of Navin Kumar Kasera and threatening the shop keepers. It has further been alleged that co- accused Raunak Singh fired upon Navin Kumar Kasera, which hit on his chest and subsequently, he died in the hospital.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel submits that though the petitioner is named in the F.I.R. along with eight persons, but no overt act has been alleged against the petitioner. Learned counsel further submits that there is specific allegation of firing on the Police party upon three accused persons namely, Raja Chaudhary, Samir Sahi and Raunak Singh and there is specific allegation against Raunak Singh that he fired upon the shop keeper- Navin Kumar Kasera, for which a separate case bearing Laheria Sarai P.S. Case No. 456 of 2019 has been instituted. Learned counsel further



submits that similarly situated co-accused Monu Kumar has been granted bail by this court in Cr. Misc. No. 12820 of 2020.

Having regard to the submissions made by the parties and taking into consideration the fact that no specific allegation has been levelled against the petitioner and similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 457 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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