

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18283 of 2020

Arising Out of PS. Case No.-456 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

GAUTAM KUMAR SINGH @ JONTY S/o Late Satendra Kumar Singh R/o Mohalla- Balbhadrapur, N.P. Mishra Chowk, P.S.- Laheria Sarai, District- Darbhanga, Permanent Address- Village- Barha Louhar, P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Laheria Sarai P.S. Case No. 456 of 2019, registered for the offence punishable under Sections 307, 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the co-accused person, namely, Raunak Singh, having caused firearm injury on the chest of the brother of the informant. It is also alleged that the petitioner herein and one co-accused Raja Chaudhary are stated



to have fired gunshots, but no injury was caused to anyone.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 28.11.2019. It is further submitted that the similarly situated co-accused person, namely, Keshav Kumar @ Raja Chaudhary has already been granted regular bail by a coordinate Bench of this Court vide order dated 28.2.2020 passed in Criminal Miscellaneous No. 12050 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that there is no allegation of any sort of overt act or having caused any sort of gunshot injury, as far as the petitioner is concerned, as also considering the fact that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Darbhanga in connection with Laheria Sarai P.S. Case No. 456 of 2019.

(Mohit Kumar Shah, J)

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