

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21732 of 2020

Arising Out of PS. Case No.-616 Year-2019 Thana- BUXAR District- Buxar

GAURAV CHOUDHARY @ GAURAV KUMAR CHAUDHARY, aged
about 25 years, Male, Son of Gulab Chandra Choudhary @ Gulab Chandra
Kewat, Resident of Ramrekha ghat, Police Station - Buxar Town, District –
Buxar ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Parijat Saurav, Adv.
For the Opposite Party : Mr. M. Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-07-2020 Mr. Parijat Saurav, learned counsel appearing on
behalf of the petitioner prays that the defects, as pointed out by
the office note, dated 03.07.2020, will be removed within two
weeks just after starting the functioning of physical Court.

In view of the undertaking, the prayer of the learned
counsel for the petitioner is allowed.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state through video
conferencing.

The petitioner seeks bail in connection with S. Tr. No.
234 of 2019 arising out of Buxar Town P.S. Case No. 616 of
2019, registered under Sections 307 and 120(b) of the Indian
Penal Code and 27, 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that the informant, Munna Gupta,



along with his two friends, Rishi Kumar Tiwari and Vijay Kumar Jaiswal, moved from the towards Ramrekha Ghat for taking tea. In the way three persons reached near him, boarding on Apache motorcycle. The person, who was on rear seat of motorcycle, fired at him and his friend, Vijay Kumar Jaiswal while his friend, Vijay Kumar Jaiswal, saved himself, but, one bullet passed touching his chest and he became injured. The informant claimed to have identified the culprit, who is Gaurav Choudhary (petitioner).

Submission is that it would appear from the first information report that fire was made by two persons, including the petitioner, but, the injury, as found on the person of the informant, is abrasion on the upper part of the chest on right side, which is simple in nature. While the petitioner is accused in two cases, as detailed in paragraph 3 of the bail petition and he is in jail in the present case from 31.08.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 234 of 2019 arising out of Buxar Town P.S. Case No. 616 of 2019 to the satisfaction of the Additional Sessions Judge, III,



Buxar, subject to the condition that out of two bailors, one must
either be parent or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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