

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34996 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- BATH District- Bhagalpur

GAUTAM RAVIDAS @ GAUTAM KUMAR @ GAUTAM KUMAR DAS
Son of Ramdeo Das @ Ramdeo Kumar Das Resident of Village- Deodha,
Police Station- Bath, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bath P.S. Case No. 58 of 2019 for the offence registered under
Sections 341 and 307 of the Indian Penal Code and Section 27
of the Arms Act.

The husband of the informant is stated to have gone
to purchase eatables on his motorcycle from the market on the
alleged date and time of occurrence whereupon the informant
received information that her husband is lying on Barua Pul and
then the informant and her in-laws reached there and had taken
the injured husband of the informant to hospital where his
treatment is stated to be going on.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 17.12.2019. It is further submitted that the informant is not the eye witness of the occurrence.

Per contra, the learned counsel for the State Shri Ashok Kumar has vehemently opposed the prayer for bail and has submitted by referring to paragraph no. 23 of the case diary, wherein the statement of the injured person i.e. the husband of the informant has been recorded by the police and in the said statement he has named the petitioner to be the person who had fired gun shots on him resulting in him being grievously injured and the same also stands corroborated from the confessional statement of the petitioner made in paragraph no. 39 of the case diary. It is further submitted that in paragraph no. 102 of the case diary, the supplementary injury report has been reproduced, wherein it has been found that the injuries sustained by the husband of the informant is fire arm injury and is grievous in nature.

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 materials on record as also those available in the case diary, I find that there are



ample materials in the case dairy so as to connect the petitioner with the alleged crime, hence I do not find any merit in the present petition, accordingly, the same stands dismissed.

(Mohit Kumar Shah, J)

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