

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41661 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- CHAORI District- Bhojpur

Gautam Kumar, Son of Dinesh Singh, Resident of Village - Kanpanari, P.S.-
Chauri, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

4 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chauri P.S. Case No. 52 of 2021 registered for the alleged offences under Sections 341, 307, 34 of the Indian Penal Code and Sections 27 and 30 of the Arms Act.

The prosecution case has been registered on the *fardbeyan* of *Chawkidar* about the petitioner and other co-accused persons opening fire while celebrating in a marriage function and one Ashmin Khatoon received a gunshot injury in her left arm in the celebratory firing.



The learned counsel for the petitioner submits that the allegations are general and omnibus against the petitioner and three co-accused persons. The petitioner has been named in this case by co-accused Rahul Kumar, who is on inimical terms with this petitioner and the said Rahul Kumar has been exonerated by the police. There has not been any complaint from the side of the victim or her family members. For an occurrence which took place on 28.04.2021, the FIR has been registered on 17.05.2021. The other co-accused person Babalu Kumar has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 23.03.2022 passed in Cr. Misc. No. 43958 of 2021. The other co-accused Shiv Shankar Singh has also been granted bail and the case of the petitioner is similarly placed. The petitioner is in custody since 30.05.2021.

Learned APP opposes the prayer for bail.

Perused the records.

Having regard to the submissions made hereinabove and considering the fact that similarly placed other co-accused persons have been granted bail and further considering the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, Bhojpur
at Ara in connection with Chauri P.S. Case No. 52 of 2021,
subject to the following conditions :

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence for three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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