

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41460 of 2023**

Arising Out of PS. Case No.-699 Year-2022 Thana- SAUR BAZAR District- Saharsa

Gautam Kumar Sharma @ Gautam Kumar S/O Ranjeet Kumar Sharma @
Ranjeet Sharma R/O Village- Kachra, P.S- Saurbazar, Distt.- Saharsa.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 09-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 379, 323, 341, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they, on pistol point, were assaulting and snatching golden chain of the informant's son and when he protested, the petitioner fired upon the thigh and co-accused fired upon the chest of the informant's son due to which his son sustained gunshot injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. During marriage function, some altercation held between the parties due to which the occurrence held. The FIR has been lodged after delay of four days without given any cogent reasons. As per Injury Report, informant's son sustained gunshot injury on his thigh which is not a vital part and there is no repetition of fire-arm. It is further submitted that the petitioner is languishing in judicial custody since 29.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saurbazar P.S. Case No. 699 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Saharsa.

(Sunil Kumar Panwar, J)

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