

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43512 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- JAKKANPUR District- Patna

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Gautam Kumar @ Chiku Kumar @ Chotu Son Of Raja Sharma @ Raj Kumar
Sharma Resident Of Mohalla -Bari Isopur, P.S. - Adyogic, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 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 393, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the informant being manger of Amul Milk Enterprises at Murali Compound, Karbighahiya, alleged that on 3.3.2022 at about 7:50 PM, while he was at office, the accused persons came there and fired on him due to which he sustained injury. It is further alleged that they committed loot in his



office.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case. The petitioner has not been put on TI Parade and his name has surfaced in this case on the basis of his self confessional statement. It is further submitted that during investigation, this fact came into light the firing has been made by co-accused namely, Nishu Kumar. No consistent material evidence has been collected against this petitioner during investigation. Moreover, the petitioner is languishing in judicial custody since 02.06.2022.

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 Jakkanpur P.S. Case No. 115 of 2022 (Sessions Trial No. 1189/2022) on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Patna, subject to the condition that petitioner will cooperate in the trial and shall not absent himself from the trial court proceeding. None appearance of the petitioner before the trial court on two consecutive occasions without plausible reasons will give liberty to the Trial Court to cancel the bail bonds of the petitioner.

(Sunil Kumar Panwar, J)

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