

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55880 of 2024

Arising Out of PS. Case No.-199 Year-2024 Thana- RAFIGANJ District- Aurangabad

Gautam Chaudhary Son of Yamuna Chaudhary @ Jamuna Chaudhary R/O
Vill.- Charkupa, P.S.- Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr. J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Rafiganj P.S. Case No. 199 of 2024, G.R. No. 1434 of 2024, registered for the offences punishable under Sections 341, 323, 307, 379, 120(B)/34 of the IPC and Section 27 of the Arms Act.

3. As per allegation, the petitioner invited the informant on his birthday. When the informant after attending the birthday, was going to his home, all of a sudden, co-accused Sujit Kumar Yadav, Rocky Kumar Yadav, Guddu Kumar, Saurabh Kumar along with 3-4 unknown persons surrounded him. Co-accused Sujit Kumar Pandey opened three fire round



on him in which one bullet hit on his chest, second in the stomach and the third on his right hand, as a result of which, he fell on the ground and blood was oozing out of his body.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The FIR itself reveals that there was dispute between co-accused Saurabh Kumar @ Bholi and the informant, prior to lodging of the FIR. It has been mentioned in the FIR that co-accused Sujit Kumar Yadav, Rocky Kumar Yadav, Guddu Kumar and Saurabh Kumar @ Bholi along with 3-4 unknown persons opened three round fire upon the informant which shows that the petitioner was not the main accused who opened fire at the informant. The petitioner has falsely been implicated merely because the occurrence had taken place outside of his house on the occasion of his birthday. He invited the informant in his birthday and except that, there is nothing against the petitioner.

5. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Aurangabad in connection with



Rafiganj P.S. Case No. 199 of 2024, G.R. No. 1434 of 2024,
subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of
trial and make himself available as and when required by the
court.

(Nawneet Kumar Pandey, J)

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