

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56678 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- BENIPATTI District- Madhubani

Gautam Kumar Jha, Son Of Sudhir Jha @ Sudhir Kumar Jha @ Tunna
Village- Benipatti Ps- Benipatti Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 447, 341, 323, 504, 307, 506 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that the petitioner along with others in a
drunken condition had a fight with him when he had gone to
attend a function, but on intervention of the father of the
petitioner, the matter was resolved, but later, the petitioner along
with others came and started firing upon the informant, but he
was saved.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is also submitted that though there is allegation of firing, but then, no one was hurt, nor there is any injury report on record. It is further submitted that by order dated 10.10.2023, injury report along with case diary was called for. Thereafter, a reminder was sent on 23.01.2024, but still the injury report has not been received.

5. After perusing the record, it manifests that the Superintendent of Police, Madhubani vide his Letter No.4449 dated 02.11.2023, addressed to the Assistant Registrar of this Court, has recorded that there is no injury report of any of the injured either from a Government Hospital or a Private Hospital. The said letter of the Superintendent of Police, Madhubani clearly demonstrates that no one was injured in the occurrence and the case appears to be concocted.

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees



Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Benipatti, Madhubani in connection with Benipatti P. S. Case No.82 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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