

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74516 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Gautam Sada Son of Sri Baua Sada @ Boaa Sada Resident of village -
Kathdumar, Ward No.- 07, P.S.- Simri Bakhtiyarpur (Kanariya O.P.), District -
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
S.C. No. 310 of 2022 arising out of Bakhtiyarpur P.S. Case No.
299 of 2022, registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 384, 504, 506 and
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per the prosecution case, when the informant
was digging pond with poplin and JCB machine, the petitioner
and other accused persons came there and started abusing him
and demanded Rs. 5,00,000 as *rangdari*. It is further alleged the
accused persons fired on the victim due to which he sustained



injury to the side of the chest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is inordinate delay of 18 days in lodging the FIR without giving any plausible reason and the informant has falsely prepared the injury report. He also submits that charge-sheet has already been submitted in this case against the petitioner and there is no chance of absconding or tampering with the evidence. He further submits that the similarly situated co-accused persons, namely, Ram Kumar has already been granted by the Co-ordinate Bench of this Court vide order dated 29.03.2023 passed in Cr. Misc. No. 62186 of 2022. He also submits that petitioner has two criminal antecedent and he is in jail custody since 06.03.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Saharsa or Concerned Court Below in



connection with S.C. No. 310 of 2022 arising out of
Bakhtiyarpur P.S. Case No. 299 of 2022.

(Sunil Dutta Mishra, J)

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