

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3275 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Gautam Kumar, S/O late Tapendra Chaudhary, Resident of village -
Bhagahrai, P.S- Runnisaidpur, District - Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ayush Kumar, Advocate.
		Mr. Priyanshu Kr. Singh, Advocate.
For the State	:	Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 04-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Runisaidpur P.S. Case No. 353 of 2024, dated 28.09.2024 registered for the offences punishable under Sections 309(5), 109(1) of BNS, 2023 and Section 27 of the Arms Act.

3. As per allegation, the petitioner and other co-accused were following the informant, who was on motorcycle, and tried to stop him and attempted to snatch his motorcycle. The accused persons even fired at him, but he escaped from getting hit. Thereafter, he entered into the



house of someone else and one of the accused also fell down from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact this is a case of rash and negligent driving and road rage. Motorcycle of the informant had got dashed by the co-accused Anil Rai @ Anil Kumar and hence, both of them got fell down and got some rashes on their body. He further submits that to make case the serious, informant made a false case against the petitioner. He further submits that no fire arm injury has been received by the informant.

5. He further submits that the petitioner has been languishing in jail since 29.09.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.



9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Runisaidpur P.S. Case No. 353 of 2024 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents,



learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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