

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3946 of 2025

Arising Out of PS. Case No.-129 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

Guru Charan Chaudhary @ Gurucharan Chaudhary Son of Lal Kishun
Chaudhary Village- Akhori, Ps- Ramgarh, Dist- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Ramgarh P.S. Case No. 129 of 2022 instituted for the offences under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against three accused persons including the petitioner is of firing upon the Informant's elder brother with an intention to kill him due to which he sustained three gun-shot injuries upon his body.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



There is no eye-witness to the alleged occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that the petitioner is a patient of H.I.V. Positive and his treatment is going on since 2018 when it was detected. The petitioner has no concern with the alleged occurrence. He further submits that the co-accused namely Sunil Chaudhary has already been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2023 passed in Cr. Misc. No. 54073 of 2023. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 08.01.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet in this case under Sections 307/34 of the I.P.C. and Section 27 of the Arms Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ramgarh P.S. Case No. 129 of 2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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