

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27760 of 2025

Arising Out of PS. Case No.-386 Year-2024 Thana- BAUNSI District- Banka

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Gautam Kumar S/O Vijay Singh Resident of Village- Siray, P.S.- Bounsi,
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

3 05-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Bounsi
P.S. Case No. 386 of 2024, instituted for the offences punishable
under Sections 103(1), 61(2) of the Bharatiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons committed murder of
informant's son by means of *lathi*, *danda* and also shot him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. Specific allegation of firing upon the deceased is against co-accused, namely, Ashish Kumar Yadav. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 28.12.2024 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Bounsi P.S. Case No. 386 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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