

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30994 of 2025

Arising Out of PS. Case No.-510 Year-2024 Thana- BIKRAM District- Patna

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Gautam Kumar S/O Awadhesh Paswan Village- Karanja, PS- Naubatpur,
Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Siddhartha Prasad, Advocate
		Mr. Om Prakash Kumar, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Siddhartha Prasad, learned counsel for

the petitioner and Mr. Ram Sumiran Rai, learned APP for the

State.

2. Petitioner seeks regular bail in connection with

Bikram P.S. Case No. 510 of 2024, dated 03.12.2024, registered

for the offences punishable under Sections 118(2), 109 and 3(5)

of the Bharatiya Nyaya Sanhita and Sections 25(1-B)a, 26, 35

and 27 of the Arms Act.

3. The main submissions advanced by petitioner's

counsel are that as per the allegation, an incident of firing took

place inside the shop of the informant in which informant's

brother, Ashirwad Kumar, sustained firearm injury to his right

thigh but during the course of investigation, neither did the



investigating officer get the injury report of the said injured nor did the said injured himself gave his injury report to the investigating officer and regarding the medical treatment of the informant's brother, there is no details in the FIR, though, during the course of investigation, the informant's brother revealed that he was treated at Primary Health, Center, Bikram, but despite this fact, the I.O. could not have got the injury report of the said injured, in fact, no one sustained injury in the alleged occurrence. It is further submitted that the prosecution story is completely absurd and unbelievable and there was function at the house of the petitioner so he went to the shop of the informant to purchase some sweets and thereafter, simply an incident of scuffling took place and the allegation of recovery of firearm is completely false. It is lastly submitted that the petitioner has fair and clean antecedent and has been languishing in jail since 04.12.2024 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the FIR, case diary as well as trial court's order. The prosecution does not produce the injury report of the informant's brother who is said



to have sustained firearm injury and the petitioner has taken the plea that no one sustained injury, so, considering this aspect and mainly taking into account the petitioner's custody period which has been about eight months and also his fair and clean antecedent, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bikram P.S. Case No. 510 of 2024.

(Shailendra Singh, J)

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