

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34951 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- RANIGANJ District- Araria

Gautam Kumar @ Gautam Yadav, S/o Brahmdeo Yadav, Resident of Village
and P.O.- Jainagar, Ward No. 02, P.S.- Bhargama, Dist- Araria..... Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitaram Prasad, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Raniganj
P.S. Case No. 354/2024, registered for the offence under Sections
309(6) and 103(1) of BNS and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the F.I.R. and
is in custody since 12.02.2025.

4. As per FIR, while petitioner was going to
Sindheshwar Nath through his Tata Pick up vehicle alongwith his
son and nephew, unknown miscreants overtaken his Tata pick-up-
van and opened fire. During the occurrence, two unknown accused
persons came on motorcycle near to him and looted cash of Rs. 2
lacs on the point of pistol and shot his son, who is being taken to
the doctor but declared dead.

5. Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner transpired during the course of investigation on the basis of confessional statement of co-accused Saurav Kumar Yadav. It is further submitted that the name of co-accused Saurav Kumar Yadav transpired on the basis of confessional statement of co-accused Saroj Yadav, whose name transpired on the basis of input supplied by police spy during the course of investigation. It is submitted that during investigation, all these connecting chain of suspicion not even lead to any incriminating materials/circumstances, which may suggest involvement of petitioner with present crime in question. It is pointed out that the co-accused, who confessed the name of this petitioner, namely Saurav Kumar Yadav was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 1615 of 2025 dated 11.04.2025. It is submitted that the petitioner was not put on TIP, despite the claim of the informant to identify. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by



taking note of fact as save and except suspicion arising out of confessional statement of co-accused, nothing incriminating transpires against this petitioner as to suggest *prima facie* his involvement with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner being a man of clean antecedent, remains in custody since 12.02.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Raniganj P.S. Case No. 354/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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