

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36951 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Gautam Kumar son of Late Radhey Prasad Singh Village -Pawai P.s
-Surajgarha District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Ravi S. Pankaj, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Surajgarha P.S. Case No. 338 of 2024 lodged on 20.12.2024 under Sections 126(2), 103(1), 352, 351(2) & 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act, pending before the Court of Chief Judicial Magistrate, Lakhisarari.

3. As per the prosecution, an F.I.R. has been lodged against four named accused persons, including the present petitioner. The allegation made in the F.I.R. is that the Mukhiya, Suprita Kumari, her husband, Pankaj Kumar, her brother-in-law,



Gautam Kumar (the petitioner), and Munna Kumar, in connivance with each other, killed the informant's husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the present case has been filed in retaliation. It is also submitted that due to political rivalry, the name of the petitioner has been falsely implicated in this case. Counsel further submits that the evidence of the witnesses in the inquest report does not support the prosecution story. He further submits that the petitioner has been in custody since 15.01.2025 and the petitioner himself is a victim in this case. It is also submitted that the allegations made in the F.I.R. do not match with the findings in the post-mortem report.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that three criminal cases are pending against the petitioner. He further submits that, in the present case, there is a direct allegation against the petitioner that he fired and killed the informant's husband.

6. Learned APP for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to



grant bail to the petitioner. Therefore, the bail application of the
petitioner is hereby rejected.

(Dr. Anshuman, J.)

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