

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84715 of 2024

Arising Out of PS. Case No.-777 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Raja Gaddi Son of Chhotu Gaddi @ Moihuddin Ghosi R/o -Mohalla-Ghosiyar Sagar, PS- Sasaram Town, Distt.- Rohtas
2. Jangali Gaddi Son of Chhotu Gaddi @ Moihuddin Ghosi R/o -Mohalla-Ghosiyar Sagar, PS- Sasaram Town, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 22-04-2025 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Sasaram (T) P.S. Case No. 777 of 2024, registered for the offences punishable under Sections 109, 61(2), 352, 351(2) and 3(5) of the BNS and Sections 25(1-b)a, 26, 37 and 35 of Arms Act.

3. It has been alleged in the FIR that the petitioners came at the place of occurrence, where the vegetables were being unloaded. It is further alleged that petitioner no. 2, namely, Raja Gaddi, insisted that the vegetable should be loaded in his pick-up van. It is also alleged that petitioner no.1,



namely, Raja Gaddi, abused the informant and threatened to kill him. Thereafter, both the brothers (petitioners) started indiscriminate firing, however, nobody has sustained any injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to the business rivalry. Learned counsel further submits that there is no recovery made from the conscious possession of the petitioners and the story propounded of firing was a super addition and no incident as such has occurred. Learned counsel further submits that, though, the petitioner no. 1, namely, Raja Gaddi has one criminal antecedent, however, the petitioner no. 2, namely, Jangli Gaddi has no criminal antecedent. It has lastly been submitted that the petitioners are in custody since 19.09.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that they had taken the laws in their own hands and had fired in the public place. Hence, the petitioners do not deserve the liberty of bail.

6. Considering the aforesaid submissions made by the parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the



petitioners and also taking into account the period of custody, I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (T) P.S. Case No. 777 of 2024.

(Sourendra Pandey, J)

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