

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24822 of 2015

Arising Out of PS.Case No. -22 Year- 2013 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Shyam Gope Son of Kusheshwar Gope @ Kushan Gope Resident of
village - Olibigha, Police Station - Chandi, District - Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-07-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Sessions Trial No. 680 of 2013 arising out of Chandi P.S. Case
No. 22 of 2013 registered under sections 302/34 of the I.P.C. and
27 of the Arms Act pending in the Court of 1st Additional
Sessions Judge (Adhoc), Hilsa, Nalanda.

Earlier prayer of the petitioner was rejected vide Cr.
Misc. No. 1525 of 2014 with co-accused Rakesh Mahto vide Cr.
Misc. No. 43053 of 2013 on 03.04.2014 by this Court on merit
taking into consideration the nature of allegation.

Learned counsel of the petitioner submits that it
would appear from the F.I.R. itself that Lalan Yadav was caught
hold by the villagers on spot, who disclosed the name of Rakesh

Mahto and three others not this petitioner, but later on, name of this petitioner has come. It is also submitted that Rakesh Mahto has already been allowed bail by this Court vide Cr. Misc. No. 15163 of 2015 on 22.04.2015.

Admittedly, prayer of this petitioner was rejected by this Court on merit taking into consideration the nature of allegation and also in T.I. Parade, the informant identified this petitioner, Shyam Gope with allegation to shot fire upon the deceased.

Having considered the facts and circumstances of the case, I am not inclined to allow the prayer of the petitioner. Accordingly, the application stands rejected.

(Rajendra Kumar Mishra, J.)

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