

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48707 of 2014

Arising Out of PS.Case No. -76 Year- 2014 Thana -KHUSRUPUR District- PATNA

Bhola Gope, son of Late Badri Gope, Resident of village - Baikathpur
Rajbara Tola, P.S. Khusrupur, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : M/s. Sudhir Singh,
Prakash Chandra Jha, Advocates

For the State : Mr. Ram Shankar Das, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the learned
Special P.P. for the State.

The petitioner seeks bail in a case registered under
Sections 302, 379/34 of the Indian Penal Code and Section 3(2)
(v) of the S.C. & S.T. Act.

It has been submitted on behalf of the petitioner that the
entire first information report is cock and bull story itself and



counter case to Annexure 2. It is urged that on 03.06.2014 at about 2 a.m. in the morning the villagers chased three thieves who were stealing the battery of the tractor wherein two of them were apprehended by the mob and one managed to escape. The two apprehended persons were assaulted also by the mob. F.I.R. was lodged in this regard at about 7 a.m. which would be apparent from Annexure 2 which is a copy of the first information report with respect to Khusrupur P.S. Case No.75/14. At about 12.10 p.m. another F.I.R. was lodged against the petitioner by the aforesaid person, who had managed to escape, making allegations against the petitioner and twenty other persons of the village concerned of chasing and assaulting the two persons who subsequently died. It is contended that in fact the mob had chased them while they were removing the battery of the tractor and were assaulted by the mob itself for which F.I.R. was lodged earlier and for that reason only no motive for killing could be stated in the F.I.R. Petitioner claims to be in custody since 28.08.2014.

Having regard to the facts and the circumstances of the case, the petitioner, Bhola Gope is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of

Addl. Chief Judicial Magistrate, Patna City, District Patna in
connection with Khusrupur P.S. Case No.76/14.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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