

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27690 of 2015

Arising Out of PS.Case No. -110 Year- 2014 Thana -KARAI PARSURAI District- NALANDA
(BIHARSHARIFF)

- =====
1. Lalchhari Gope @ Saryug Gope S/o Munna Gope,
 2. Birju Gope, S/o Munna Gope,
 3. Arjun Gope, S/o Munna Gope,
 4. Bhim Gope, S/o Late Chandra Gope,
 5. Bhringi Kumar @ Bhringi Gope, S/o Arjun Gope, All resident of village - Merhma, P.S. - Karai Parsurai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Dr. Indihar Kumari, (App)
For the Informant : Mr. Samir Kumar Bharti &
Mr. Anil Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2015 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Learned counsel for the petitioner submits that
petitioner no. 1 Lalchhari Gope @ Saryug Gope has been arrested
and, hence, the application with regard to petitioner no. 1 is,
hereby dismissed as withdrawn.

Petitioner nos. 2 to 5 are apprehending arrest in
a case registered for the offences punishable under section
302/34 of the Indian Penal Code.

On recovery of the dead body of cousin brother of
the informant floating into a water channel the present F.I.R. was
lodged against the petitioners suspecting the hands of the

petitioners since earlier the petitioners threatened the victim in the back ground of land dispute.

It is submitted by the learned counsel for the petitioners that only on suspicion, the petitioners have been implicated in this case whereas earlier co-accused Ram Babu Gope had lodged Karai P.S. Case no. 120 of 2012 against the informant and others. The victim actually drowned in the river. On conclusion of investigation, the case was found false and final form was submitted but differing with the final form cognizance has been taken.

Considering the suspicious nature of the case, on conclusion of the investigation the accusation has been found false and the statement made in paragraph 3 that the petitioners have no criminal antecedent, let the above named petitioner nos. 2 to 5 be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Rashmi Prasad, Judicial Magistrate, 1st Class, Hilsa (Nalanda) in connection with Hilsa (Karai) P.S. Case No. 110 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Amin/-

U			
---	--	--	--

(Dinesh Kumar Singh, J)

