

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33615 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -PARWALPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. BALLABH GOPE @ BALLAM GOPE @ Ballabh Yadav
 2. Ramraj Gope Both Sons of Late Ramchandra Gope
 3. Biren Gope
 4. Girish Gope Both Sons of Ballabh Gope @ Ballam Gope @ Ballabh Yadav All residents of Village - Gramtara Bigaha, P.S. - Parwalpur, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 341, 323, 379 and 504/34 of the I.P.C. and section 27 of the Arms Act.

On behalf of the petitioners it is submitted that the petitioners have been falsely implicated in this case, the prosecution story appears not probable and reliable, no injury has been caused to the informant and during investigation the supervising authority has found the allegation of theft not true, no

pellet or bullet has been found at the place of occurrence and as such the offence under section 27 of the Arms Act is not made out.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that no injury has been caused to the informant and further, as submitted, at the place of occurrence no sign of firing was found and as such the petitioners in case of their arrest or surrender within one month from the date of receipt/production of a copy of this order shall 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. A.C.J.M. Hilsa, Nalanda in Parwalpur P.S. Case No. 73 of 2016, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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