

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39046 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -KHAJEKALLAN District- PATNA

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Chintu Gope, S/o Binod Gope, Aged about 22 years, resident of
Belwarganj Alamganj, P.S.- Alamganj, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2016 Heard Sri Rajeev Kumar, learned counsel for the

petitioner and Sri Madhuranand Jha, learned Addl. Public

Prosecutor.

The sole petitioner, who is named as accused in
Khajekalan P.S. Case No.59/2016 registered for the offence under
Sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal
Code and Section 27 of the Arms Act, has prayed for grant of
anticipatory bail.

It was submitted by learned counsel for the
petitioner that after going through the F.I.R., it is evident that save
and except the fact that the petitioner was alleged as a member of
mob, there is no allegation of any overt act. He submits that prior
to the present occurrence, one another occurrence had taken place,

in which the petitioner had tried to console both the parties and this was the reason that the petitioner has been made accused in the present case.

Learned Addl. Public Prosecutor, opposing the prayer for grant of anticipatory bail, submits that there is allegation against accused persons for indiscriminate firing, in which about several persons were injured and out of them, one succumbed to the injury and F.I.R. was lodged in the hospital. The petitioner is one of the accused in the case, in which indiscriminate firing has been made.

However, after going through the F.I.R, the Court is satisfied that it is not a case for grant of anticipatory bail. The petition stands dismissed.

(Rakesh Kumar, J)

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