

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5876 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Gopal Kumar, Son of Munna Singh, Resident of Village- Bhaikhar, P.S.-
Muffasil, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Dr.Kr.Uday Pratap(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 16-05-2016

Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Begusarai Muffasil P.S. Case No. 109 of 2015 registered for the
offences punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, Raghav Kumar and his two associates
surrounded Aman Kumar, the son of the informant Raghav
Kumar shot Aman Kumar on his head and further his associates
also opened fire resulting he fell down and died.

Submission is of false implication and that the
petitioner is in custody since 20.12.2015 but he has not been put
on T.I.P. Except confessional statement of co-accused Raghav
Kumar, there is no other material against the petitioner. Similarly

situated co-accused has already been allowed pre-arrest bail vide Criminal Misc. No. 14151 of 2016 and, as such, the petitioner also deserves sympathetic consideration. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

The learned APP fairly submits that co-accused Varun Singh has already been allowed pre-arrest bail by another co-ordinate bench of this Court.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No. 109 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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