

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15014 of 2018

Arising Out of PS.Case No. -601 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Pinki Gupta (cycle Wala) @ Niraj Kumar S/o Lalbabu @ Lalit Kishore
@ Lalbabu Prasad @ Lalbabu Sah, R/o Jadopur Road, Ward No. 1, P.S.-
Gopalganj Town , District- Gopalganj. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Gopalganj Police Station Case No. 601 of 2017 registered for the
offences under sections 147, 148, 149, 302, 379, 427, 452, 504, 506
IPC and section 27 of the Arms Act.

It has been submitted that the specific allegation of
causing firearm injury is against co-accuseds Anandi Pandey and
Bhikhu Yadav. The other FIR named co-accused namely, Narain
Srivastava, Rana Srivastava @ Vikash Kumar Sinha and Santosh
Yadav @ Santosh Kumar Yadav have been allowed anticipatory bail by
different coordinate Benches of this Court in Cr. Misc. Nos. 9429, 8819
and 10481 of 2018. The deceased sustained only one firearm injury
which is apparent from the *post mortem* report. The petitioner has clean
antecedent and nothing is attributed to him. The case of the petitioner
stands on similar footing to the case of co-accuseds who have been



allowed bail and so he also deserves anticipatory bail.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the case of petitioner stands on similar footing, facts and circumstances of the case, the prayer of anticipatory bail is allowed and the above named petitioner in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Police Station Case No. 601 of 2017 subject to conditions as laid down under section 438(2) Cr.P.C. Further conditions that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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