

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72346 of 2018

Arising Out of PS. Case No.-95 Year-2018 Thana- ALAMGANJ District- Patna

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1. Om Yadav S/o late Ram Dayal Gope
 2. Dipu Kumar
 3. Manish Kumar Both Sons of Om Yadav All R/o Belwarganj, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302, 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that elder brother of the informant was fired upon, who later on, was taken to NMCH, where the doctor declared his dead.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. Both parties are agnates and due to previous



enmity, the petitioner's name has been dragged in the present case. The main allegation is against co-accused, namely Binod @ Chhotanki Gope, Guddu Kumar, Chintu Kumar, Rohit @ Teni Gope who have assaulted the deceased. The name of the petitioners has appeared in the present case merely on the basis of suspicion as he was also present at the place of occurrence.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Alamganj P.S. Case No. 95 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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