

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16295 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- PHULWARIA District- Begusarai

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GOPAL KUMAR @ GOPAL RAI, son of Niraj Prasad Singh, Resident of
Village- Malti, P.S.- Phulwaria, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-07-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Phulwaria P.S.Case No. 141 of 2018 registered under Sections 307,323 and 341/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other accused persons fired upon the informant and also assaulted him with *Danda*. It has further been alleged that incident has taken place for demand of *Rangadari* from the informant who is running a hotel at Phulwaria.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner as alleged and has never demanded any *Rangadari* from the informant. He further submits that there is specific allegation in the *fardbeyan* against Suman Kumar and Tuntun Rai and not against this petitioner. Learned counsel also submits that petitioner is a student and is preparing for competitive examination at Patna and he is 22 years



of age.

On the other hand, learned counsel for the State submits that firearm injury has caused on the person of the informant and from the CCTV footage, it is evident that petitioner was also there chasing behind the informant but not having any firearm in his hand.

After having heard learned counsel for the parties and taking into consideration the fact that there is specific allegation of firing against Suman Kumar and Tuntun Rai and the fact that petitioner is a student of 22 years old and is preparing for competitive examination as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Begusarai in connection with Phulwaria P.S. Case No. 141 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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