

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19018 of 2019**

Arising Out of PS. Case No.-93 Year-2018 Thana- THARTHARI District- Nalanda

Bindeshwar Gope, Son of Yadu Gope, Resident of Village - Atwal Chak, P.S.-
Tharthari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 21-05-2019 Petitioner seeks regular bail in connection with

Tharthari P.S. Case No.93 of 2018 registered for the offences

punishable under Section 302/34 of IPC and Section 27 of the

Arms Act.

Prosecution story is that informant was sitting at the
door of Anil Kumar and in the meantime, petitioner and other
accused persons came there and on the order of petitioner and
other accused Rajiv Prasad, Rajesh Kumar and Dharampal
Kumar fired on the deceased, causing his death.

Submission of the learned counsel for the petitioner is
that allegation against them is of order giver and no allegation
of assault or firing has been attributed against them. Petitioner is
in custody since 10.01.2019 and the two other accused persons
are ladies and also are order giver have been granted bail by a



Co-ordinate Bench of this Court vide order dated 20.12.2018 passed in Criminal Misc. No.77036 of 2018 and other accused, namely, Rajesh Prasad @ Rajeev has also been granted bail by a Co-ordinate Bench of this Court vide order dated 02.04.2019 passed in Criminal Misc. No.19829 of 2019.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Tharthari P.S. Case No.93 of 2018, subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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