

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18340 of 2019**

Arising Out of PS. Case No.-200 Year-2018 Thana- AKBARPUR District- Nawada

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GOPAL SINGH @ GOPAL LAL Son of Late Gauri Singh Resident of Village
- Bhanail, P.S.- Akbarpur, District - Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
16.11.2018 in a case registered for the offences punishable
under Sections 147, 148, 149, 307 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution case got initiated on the basis of
written report of Awadhesh Singh submitted before the Station
House Officer, Akbarpur Police Station is to the effect that on
19.08.2018 at about 3.00 P.M., the son of the informant,
Raushan Kumar was sitting near the wooden shop of the



petitioner Gopal Singh, in the meantime, the petitioner along with all other co-accused persons having fire arms came out of the house and on the order of co-accused Nandu Singh, petitioner, Gopal Singh resorted to fire on the son of the informant, causing injury on his abdomen. It is further alleged that in course of fleeing away from the scene, co-accused Uday Singh hurled bomb.

It is submitted by learned counsel for the petitioner that the FIR itself reflects that the in the background of a dispute with regard to irrigation of land, the occurrence took place and there is no accusation of repeating the gun shot. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation against the petitioner in the FIR of firing upon the son of the informant.

Considering the genesis of the occurrence vis-a-vis in the background of a dispute with regard to irrigation the land, the investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned ACJM-I, Nawada, in connection with
Akbarpur P.S. Case No. 200 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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