

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2033 of 2019

Arising Out of PS. Case No.-79 Year-2018 Thana- NAGARNAUSA District- Nalanda

Shyam Gope, son of Shiv Sharan Gope, resident of village Sadu Bigha, P.S.
Nagarnausa, Dist- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Birendra Kumar
For the State	:	Mr.Md. Sufiyan
For the Informant	;	Mr. Vijay Anand,

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Nagarnausa P.S. Case No. 79/18 registered for the offence punishable under Sections 147, 148, 149, 447, 337, 341, 323, 302, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other co-accused persons is to have fired upon the Bhabhi and son of the informant due to which they sustained injuries and his son succumbed to injuries.

It has been submitted on behalf of the petitioner that allegation of firing is against co-accused Anuj Gope due to which son of the informant died. However, allegation against the petitioner is to have fired upon the Bhabhi of the informant



upon which she sustained injury in right leg which is simple in nature. Petitioner has no criminal antecedent and he is in custody since 27.07.2018.

Counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda in connection with Nagarnausa P.S. Case No. 79/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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