

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28664 of 2019

Arising Out of PS. Case No.-620 Year-2018 Thana- MANER District- Patna

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Dahi Gope @ Krishna Rai @ Dhahi Rai, aged about 27 Years, Son of
Ramagya Rai @ Pahlwan Resident of Sahkarpur, P.S.-Shahur, District-Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ghanshyam Tiwary, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Maner P.S. Case No. 620 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusation is that as many as 11 accused persons including the petitioner are said to have shot on the head of the deceased. The accusations are general and omnibus in nature even though the informant claims to be eye-witness to the occurrence, which thus casts serious doubt about the veracity of the accusations. Similarly situated co-accused Dharmendra Rai has been granted anticipatory bail by this Court vide order dated 01.04.2019 passed in Cr. Misc. No. 19513 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Smt. Nutan Kumari, learned Judicial Magistrate, 1st Class, Patna in connection with Maner P.S. Case No. 620 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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