

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31201 of 2019**

Arising Out of PS. Case No.-320 Year-2018 Thana- NOORSARAI District- Nalanda

1. Indradeo Gope, aged about 65 years (M), son of Late Kishun Gope
2. Satyendra Gope aged about 40 years (M), son of Indradeo Gope
3. Manish Gope aged about 35 years (M), son of Indradeo Gope
4. Jitendra Gope aged about 33 years (M), son of Indradeo Gope, all are residents of Village-Mandachh, Police Station- Noorsarai, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Pramod Kumar, Advocate
For the Opposite Party : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 14-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Noorsarai P.S. Case No. 320 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of the land dispute between the parties. The thrust of accusation of assault is against accused Dharmendra who is said to have fired upon the right elbow of the informant's uncle while the accusation of assault against the petitioners is general and omnibus in nature. The injury sustained by injured Rajesh Prasad is simple in nature. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif in connection with Noorsarai P.S. Case No. 320 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 of each of the petitioners shall be their close relatives.

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

(iii) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

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

(Vikash Jain, J)

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