

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37033 of 2019**

Arising Out of PS. Case No.-138 Year-2017 Thana- GOPALPUR District- Gopalganj

PRADEEP RAI, Son of Drupdeo Rai, Resident of Village- Sonahula Gokhul,
P.S.- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 24-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Gopalpur P.S. Case No.138
of 2017** instituted for the offence under Section(s) 307/34 Indian
Penal Code and Section 27 of the Arms Act.

Prayer of the petitioner for bail was earlier rejected by
co-ordinate Bench of this Court by order dated 12.07.2018
passed in Cr. Misc. No.41752 of 2018 with liberty to renew the
prayer for bail after one year if trial is not concluded.

In the fard-beyan, it is alleged that this petitioner fired
shot causing firearm injury in the chest of the informant.

Report of the Court below has been received from
which it appears that till date only four witnesses have been
examined in the cases. Five witnesses are still to be examined.



The Court below has mentioned in the report that one year's time is required for disposal of the case.

Case diary has been received.

On perusal of the case diary, learned APP did not find any injury report of the informant.

Counsel for the petitioner submits that four witnesses have been examined and they have not levelled any allegation of specific overt act against the petitioner.

Petitioner is in custody since 29.05.2018.

Keeping in view period of custody and the fact that there is no likelihood of conclusion of trial within short period, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the **Additional Sessions Judge-VIII, Gopalganj**, in connection with **Gopalpur P.S. Case No.138 of 2017 (S. Tr. No.519 of 2018)**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate



the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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