

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34212 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- ALAMGANJ District- Patna

RAJU GOPE Son of Late Ram Dayal Gope Resident of Mohalla -
Balwarganj, P.S.- Alamganj, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Bansh Dubey

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 07-08-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Alamganj P. S. Case No. 95
of 2018 instituted for the offence under Section(s) 302,120B/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for petitioner submits that there is no any
specific allegation of firing against this petitioner.

In the written report it is alleged that four accused persons,
namely Binod @ Chotanki Gope, Guddu Kumar, Pintu Kumar and
Rohit @ Teny Gope armed with pistol entered into the saloon where
elder brother of informant, namely, Akaash was getting his hair
cut. They caught hold the informant. It is further alleged that on the
identification of co- accused Binod @ Chotanki the accused persons
made indiscriminate firing. The informant with his another younger
brother fled away from the shop. The informant found the



petitioner and other accused persons as named were standing there.

It is further alleged that all the four persons entered into the shop and made firing and fled away on motorcycle. The people went inside the shop and found his brother lying on the ground with bleeding who was taken to hospital where he was declared dead.

From the written report it appears that no allegation of firing is made against this petitioner. The specific allegation of firing is made against four co-accused persons named in the written report who had entered into the shop.

Petitioner is in custody since 22.1.2019.

Considering the aforesaid, 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 ACJM, 1st Patna City, in connection with Alamganj P. S. Case No. 95 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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