

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38827 of 2019**

Arising Out of PS. Case No.-70 Year-2019 Thana- PARWALPUR District- Nalanda

RAJBALLAV GOPE S/o Rameshwar Gope R/o village- Haripur, P.S.-  
Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Kumar  
For the Opposite Party/s : Mr.Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3      17-08-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Parwalpur P.S. Case No. 70 of 2019, disclosing offences under Sections 341, 323, 307, 379, 385, 504 and 506/34 of the Indian Penal Code.

It is alleged in the FIR that the accused persons entered into the informant's line hotel and all of them were demanding ransom and when the informant objected, the petitioner assaulted him with the butt of the pistol in his head. There is also allegation of snatching away cash to the tune of Rs. 10,500/-.

Learned counsel, appearing on behalf of the petitioner, has submitted that no offence under Section 307 of the IPC can be made in the background of the allegation that the informant was assaulted with the butt of the pistol. He has also submitted that lodging of the FIR is retaliatory since the petitioner was making complaints against the informant of



selling illicit liquor in his line hotel.

Be that as it may, considering the nature of the allegation in the FIR, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned ACJM, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 70 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

HR/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

