

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51127 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- BHORE District- Gopalganj

AWADHESH GOND Son of Jawahar Gond Resident of Village - Basdewa,
P.S.- Bhore, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Sanjay Kumar (App125)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner apprehends his arrest in connection
with Bhore P.S. Case No.205 of 2019 registered under Sections
302, 404 and 120(B)/34 of the Indian Penal Code besides
Section 27 of the Arms Act.

The accusation is that on 13.06.2019, the informant
Harinarayan Singh and his younger brother Ramashray Singh
were present at the Petrol-Pump, where the construction work
was going on. In the meantime, Brij Kishore Singh, Vivek
Singh, Raju Singh, Arun Kumar Mishra alias Pappu Mishra,
Sanjay Mishra alias Bablu Mishra and Vinay Mishra came there



and made indiscriminate firing due to which Ramashray Singh died. Further allegation is that the aforesaid persons committed the aforesaid occurrence under the conspiracy of Raghvendra Singh, Prabhunath Singh and Awadhesh Gond (petitioner).

Learned counsel for the petitioner submits that it would appear from the F.I.R. that there is specific allegation against the 6 co-accused to make indiscriminate firing at Ramashray Singh, the younger brother of the informant, due to which he died. The only allegation against the petitioner has been made that the aforesaid six persons committed the murder of Ramashray Singh, under his conspiracy and two other accused. Further submission is that, in fact, the petitioner used to do the work of labourer at the petrol-pump of the informant and the salary to the petitioner was not paid by the informant for the last six months and on making demand to pay the salary by the petitioner to the informant, the informant and others abused and assaulted the petitioner regarding which the petitioner approached the concerned police station for lodging the F.I.R. against the informant and others but when the F.I.R. was not lodged, the petitioner sent an application to the SC/ST Commission, New Delhi, which was forwarded by the under Secretary of the aforesaid Commission to the Superintendent of



Police, Gopalganj, on 21.06.2019, which would appear from Annexure-3 to this application. The petitioner has falsely been implicated in this case and he has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Bhore P.S. Case No.205 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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