

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57512 of 2019

Arising Out of PS. Case No.-583 Year-2018 Thana- ALAMGANJ District- Patna

1. Manish Kumar S/o- Om Gope @ Shankar Gope R/o- Belwarganj, P.S.- Alamganj, District- Patna.
2. Dipak Kumar @ Dipu Kumar S/o- Om Gope @ Shankar gope R/o- Belwarganj, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Alamganj P.S. Case No. 583 of 2018 registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

The allegation of the prosecution is that on the alleged date and time of the incident, the co-accused persons namely Guddu Gope and his father namely Vinod had entered a restaurant and had caught one Suraj Kumar whereupon another co-accused persons namely Om Gope had ordered his nephew namely Chintu Gope to fire upon the said Suraj Kumar and then



the co-accused namely Chintu Gope had taken out a pistol from his waist and fired gun shot on the head of the said Suraj Kumar resulting in his death. So far as the petitioners are concerned, they are said to have been standing outside the restaurant on a motorcycle and when the co-accused persons had come out of the restaurant, they had fled away.

Learned counsel for the petitioners submits that neither the petitioners have fired at the deceased nor they were present inside the restaurant and only with a view to falsely implicate them, their names have been taken by the informant. It is further submitted that a bare perusal of the case diary would also show that the petitioners do not have any complicity in the alleged crime.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate-I, Patna City, Patna in connection with



Alamganj P.S. Case No. 583 of 2018 subject to the conditions as
laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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