

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5656 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- GOPALPUR District- Gopalganj

1. Pinki Devi @ Pinki Rai, Daughter of Virendra Rai,
2. Rinki Kumari @ Rinki Rai, Daughter of Virendra Rai,
3. Virendra Rai, Son of Late Ramvishwas Rai,
All are resident of Village - Khoribahi, Rampur Pokhra Tola, P.S. - Bhatni,
District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Gopalpur P.S. Case No.191 of 2019 registered for the offence punishable under Sections 302, 307, 120B of the Indian Penal Code and 27 of the Arms Act.

It is contended that from perusal of the first information report itself, it would transpire that it was the accused Sujay Mishra and Ajay Mishra, who had opened fire and the firing made by Ajay Mishra caused injury in the neck and head of the brother of the informant as a result of which he died. It is further contended that the petitioners are neither said



to be assailant nor to be present at the place of occurrence. The sweeping allegation made against them is that they along with 2 other persons would have conspired in getting the occurrence done.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the fact that there is no allegation of overt act as also the petitioners are not alleged to be present at the time of occurrence, in the event of arrest or surrender in the court below within a period of six weeks, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Gopalganj in connection with Gopalpur P.S. Case No.191 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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