

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous Case No. 9479 of 2020

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Uday Gop @ Uday Kumar aged about 25 years M, S/o Late Bhuneshwar Gop
@ Bhuneshwar Ray, r/o Village Khirodharpur, PS Khusrupur, District Patna.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar sinha, Adv
For the Respondent/s : Mr. Ashraf Ansari, APP

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The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 14-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection with S. Tr. No. 182 of
2019 arising out of Khusrupur PS Case No. 85 of 2017
registered for the offence punishable under Sections 302/120B
of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged in her written complaint that on
10.5.2017 at about 6 p.m. while, she was in her home along with
family members and husband, villager, Uday Kumar @ Uday
Gope (petitioner), Brijrai Gope and Sunil Kumar came and took
away her husband for some urgent work. However,



when he did not return, she went out in search of her husband and saw that FIR named accused are quarrelling and abusing her husband and in the meanwhile, accused Brij Raj and Uday Gope @ Uday Kumar and Anand Sagar fired upon her husband on account of which he sustained fire arm injury and taken to PMCH where he was declared brought dead.

It is submitted that petitioner has been falsely implicated in this case due to animosity and village rivalry. Informant is not an eye-witness. Similarly placed co-accused, Brij Raj Kumar has already been granted bail by this Court vide order dated 31.01.2019 passed in Cr. Misc. No.71319 of 2018, as contained in Annexure-3. Petitioner has no criminal antecedent and he is in custody since 21.6.2017.

Considering the aforesaid facts and circumstances of the case and period of custody, let the petitioner named above be released on bail on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount in connection with **S. Tr. No. 182 of 2019 arising out of Khusrupur PS Case No. 85 of 2017** to the satisfaction of learned court below where the case is pending, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and , al court shall have liberty to cancel his



bail bonds.

(2) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(3) If the petitioner is found involved in similar nature of offence, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Sanjay/-

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