

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9887 of 2020

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

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Om Gope @ Shankar Gope, S/o Late Ramdayal Gope, R/o- Belwarganj, P.S.-
Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar
For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302/120(B) and 34 of IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Mithilesh Gope submitted to the Station House Officer, Alamganj Police Station, is to the effect that on 05.10.2018 at about 07:40 PM, when the informant was returning home after



taking tea, then he saw that co-accused Guddu Gope and his father Vinod @ Chotandi Gope, have caught hold of the brother of the informant Suraj Kumar and in the mean-time, co-accused Raju Gope caught hold of the hair of Suraj Kumar and the petitioner Om Gope and co-accused Chintu Gope resorted to fire on the head of Suraj with a Pistol. Subsequently, the brother of the informant succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that no overtact has been alleged against the petitioner. The petitioner is the agnate of the informant and in the background of land disputes, the accusation has been levelled against the petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is also made accused in one other case, in which he is on bail.

Learned APP submits that the petitioner is named in FIR and the accusation of fixing is specific against the petitioner.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, learned Court below may consider the



prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Alamganj P.S. Case No. 583 of 2018, Patna, pending in the Court of learned A.C.J.M-I, Patna City, Patna.

Accordingly, the present petition is disposed of.

(Dinesh Kumar Singh, J.)

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