

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18252 of 2020

Arising Out of PS. Case No.-513 Year-2019 Thana- HILSA District- Nalanda

KAMLESH PRASAD @ BHUSHAN GOPE S/o Saryug Gope R/o village-
Milki Par, P.S.- Parwalpur, District- Nalanda

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner seeks bail in Hilsa PS Case No. 513 of 2019 registered under Sections 147, 148, 149, 448, 504, 307 of the IPC and Section 27 of the Arms Act.

The petitioner, his son and two other accused Sujeet Kumar and Amarjeet Kumar along with ten unknown persons having deadly weapons are alleged to have attacked the informant's house. Informant's brother Chandrajeet Kumar and Ravindra Sharma have been assaulted. The petitioner has also opened fire upon the informant which was averted by the informant.



Learned Counsel for the petitioner submits that there is a case and counter case. Hilsa PS Case No. 514 of 2019 has been lodged by the petitioner's wife. There is subsisting land dispute and that there is no specific allegation against the petitioner. The petitioner is in custody since 7.12.2019.

The Court below while rejecting the petitioner's prayer for bail has recorded on the basis of case diary that Chandrajeet Kumar has sustained three injuries, including injury on the head showing repeated blows. Similar is the case of Ravindra Sharma, who has injury on his chest. Booth have suffered injuries on vital part of their body. The petitioner has a criminal history of seven cases since before.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, for the present this Court is not inclined to allow the privilege of bail to the petitioner.

The prayer for bail is rejected.

(Madhuresh Prasad, J)

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