

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70754 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- CHHABILAPUR District- Nalanda

YUGESH GOPE @ YOGESH KUMAR Son of Late Ram Lakhan Gope @
Late Ram Lagan Gope Resident of Village - Keshari Bigha, P.S.- Chhabilapur,
District- Nalanda, At present residing at Paparnausa, P.S.- Nursarai, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chhabilapur P.S. Case No.60 of 2019 registered under
Sections 147, 148, 149, 341, 323 and 307/34 of the Indian Penal
Code besides Section 27 of the Arms Act.

The accusation is that at about 01.00 P.M. on
06.05.2019, when the informant Banti Kumar along with his
brother Dhirendra Kumar Dhiraj, boarding on motorcycle, was
going to his house from Silao, in the way, six persons, named in
the F.I.R, including the petitioner were present. Out of them,
Chhoti Yadav and Neta Yadav gave signal to the informant to



stop the motorcycle. When the informant stopped the motorcycle, then others started to make firing. Thereafter, the informant and his brother started to flee away but due to firing, the brother of the informant sustained injury and he was rushed to the hospital for treatment.

Learned counsel for the petitioner submits that the petitioner and other F.I.R. named accused are the co-villagers of the informant and due to dirty village politics, they have falsely been implicated in this case. While the case diary and the supplementary case diary of the concerned case was perused at the time of disposal of the prayer of the petitioner for his pre-arrest bail vide A.B.P. No.1789 of 2019 on 16.08.2019 by the Second Additional Sessions Judge, Nalanda (Biharsharif) but there is no description of the firearm injury, which is alleged to be sustained by the brother of the informant. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate-V, Nalanda (Biharsharif) in connection with
Chhabilapur P.S. Case No.60 of 2019, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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