

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73575 of 2019

Arising Out of PS. Case No.-85 Year-2010 Thana- RAGHOPUR District- Vaishali

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SOHAN GOPE @ SOHAN RAI Son of Chandeshwar Rai Resident of Village
- Saidpur Hulash Jafarabad, P.S. - Raghopur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

For Informant : Mr. Sunil Kumar Pathak, Advocate

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 16-09-2020 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State as well as learned

counsel appearing for informant.

Petitioner seeks bail in connection with Sessions Trial
No. 51 of 2019 (arising out of Raghopur P.S. Case No. 85 of
2010) registered for the offences punishable under Sections
302/34 of the Indian Penal Code.

Petitioner and other accused are said to have made
indiscriminate firing on the deceased and, earlier, his prayer for
bail was rejected by this Court vide order dated 18.10.2016
passed in Cr. Misc. No. 44830/2016.

Learned counsel appearing for the petitioner submits
that petitioner is in jail custody since 31.5.2019 and general and
omnibus allegation of firing has been made against him. It is



also submitted on behalf of the petitioner that earlier, petitioner was remanded in this case on 25.6.2016 but allegedly, he escaped from custody and, again, he was remanded on 31.5.2019.

Learned counsel of the informant opposed the prayer pointing out that the present case was lodged in the year 2010 and petitioner could be remanded in the case after six years but, again, he escaped from jail custody and could be remanded on 31.5.2019 and, moreover, petitioner does have criminal antecedent of several cases, which is evident from perusal of paragraph 3 of the petition.

Regard being had to the above-stated facts and circumstances, again, I am not inclined to release the petitioner on bail.

Accordingly, prayer for bail of the petitioner stands rejected

(Hemant Kumar Srivastava, J)

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