

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20167 of 2021**

Arising Out of PS. Case No.-111 Year-2019 Thana- NAGARNAUSA District- Nalanda

Pankaj Gope Son of Late Kailash Gope Resident of Village- Saddu Bigha,
P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Raj Kishore Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 06-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Nagarnausa P.S. Case No. 111 of 2019, registered for the offence under Sections 147, 148, 149, 302, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, while the informant and his uncle were waiting for train at platform no. 2 at Lalu Bigha Railway Halt, this petitioner alongwith six other co-accused and 3-4 unknown persons, variously armed with weapons, came there and this petitioner alongwith co-accused Sudama Gope shot dead the uncle of the informant.

It is submitted on behalf of petitioner that petitioner



has been falsely implicated in this case, because the brother of the petitioner had already instituted a case against the prosecution side, vide Nagarnausa P.S. Case No. 79 of 2018, and as a counter blast, this false case has been instituted against the petitioner and his family members. Petitioner is in custody since 16.12.2019. Chargesheet has already been submitted.

However, learned A.P.P. for the State opposed the bail petition and submitted that this petitioner is one of the assailants of the deceased and there is direct & specific allegation of causing fire-arm injury against the petitioner. Moreover, the bail petition of co-accused Sudama Gope has already been rejected by this Court, vide order dated 26.07.2021 passed in Cr.Misc. No. 28480 of 2020.

Considering the nature of allegation and gravity of the offence as well as the fact that petitioner is one of the assailants of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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