

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21641 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- KARAI PARSURAI District- Nalanda

1. NAULESH GOPE @ SADHU GOPE, Son of Ugra Gope @ Ram Ugra Gope, Resident of Village - Sandh Ke Bigha, P.S.- Karai Parsurai, Distt.- Nalanda.
2. SHAILESH GOPE, SON OF UGRA GOPE @ RAM UGRA GOPE Resident of Village - Sandh Ke Bigha, P.S.- Karai Parsurai, Distt.- Nalanda.
3. MUKHIYA GOPE@PRAMOD GOPE, SON OF CHANDESHWAR GOPE, Resident of Village - Sandh Ke Bigha, P.S.- Karai Parsurai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the twenty nine named accused persons including the three petitioners herein came variously armed and assaulted the brother of the informant. It is further stated that accused Arun Kumar @ Makku Gope fired on his brother with his pistol as a result of which he died on the spot.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The specific



allegation of firing is on accused Arun Kumar @ Makku Gope. So far as other 29 co-accused are concerned, the allegations are general and omnibus in nature. The postmortem report does not support the allegations of assault by 29 accused persons. The petitioners are in custody since 19.10.2020, they have no criminal antecedent and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioners having remained in custody for about 11 months, the petitioners are directed to be enlarged on bail in connection with Karai Parsurai P.S. Case no. 80 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge 1st, Hilsa, Nalanda.

(Partha Sarthy, J)

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