

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30730 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- MEHANDIGANJ District- Patna

SONU GOPE, Son of Anil Gope @ Anil Yadav, Resident of Village- Ranipur
Kali Asthan, P.S.- Mehdiganj, District- Patna ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar, Adv.
For the Opposite Party : Mr. Uma Nath Mishra, APP

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

ORAL ORDER

2 12-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 10.11.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Mehadiganj P.S. Case No. 61 of 2020, registered under Sections 147, 341, 323, 504, 324, 427, 307 and 448 of the Indian Penal Code.

The accusation is that at about 10.30 p.m. on 11.03.2020, six persons, including the petitioner, came at the house of the informant, Jaipal Mahto, situated in Ranipur, Kali Asthan, P.S. Mehdiganj, Patna, dashed the door on which the informant opened the door from inside, thereafter, all asked to



provide water, thereafter, informant, Jaipal Mahto, handed over a glass, filled with water. When they, again, asked for water, then, the informant refused on which all started to abuse and petitioner caused injury through butt of the pistol on his head. At that time, Sanju Gope caused injury through sword at his left palm. When, Prashant Kumar, son of the informant, Jaipal Mahto, rushed to save him, then, he was also assaulted in which he sustained injury.

Submission is that it would appear from the first information report itself that there was no intention of the petitioner to caused grievous injury as it is alleged that this petitioner caused injury at the head of the informant through butt and there is no firing by the petitioner. In fact, some religious programme was going-on in which hot talk exchanged and family members of the petitioner also entered in the house of one Sanjay Kumar and caused assault. Further, submission is that the petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mehadiganj P.S. Case No. 61 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees



ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Patna City, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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