

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.665 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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GOPAL KUMAR Son of Bhushan Roy Resident of Village - Rajaura
Gauspur, P.S.- Mufassil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-03-2021 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Mr. Umesh Lal Verma, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 169 of 2020 registered for the offences
punishable under Sections 307/34 of the Indian Penal Code
1860, Section 27 of the Arms Act and Section 37(C) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report is
that while the informant was returning back to his village, he
saw two persons standing near Pokhar Gachhi and one person
was sitting on the Motorcycle. It has further been alleged that
when the informant asked about their identity and the reasons



for their standing, two of the co-accused persons fired upon him. One Manoj Tanti was caught by the villagers and the informant, who disclosed that Dilkhush Tanti and the petitioner had fired upon the informant.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and his name has come on the basis of disclosure made by the apprehended co-accused Manoj Tanti. Learned counsel further submits that the firing allegedly made by the petitioner and other accused person did not hit anybody. Learned counsel also submits that the petitioner is in custody since 5.9.2020 and the charge sheet has already been submitted in the matter.

On the other hand, learned counsel for the State submits that the petitioner has got criminal antecedent and does not deserve the privilege of bail.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 5.9.2020 and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/-



(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Mufassil P.S. Case No. 169 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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