

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.127 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- NAGARNAUSA District- Nalanda

Shailendra Gope, S/o Late Ram Ugre Yadav, R/o village- Momiumpur, P.S.-
Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

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

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

ORAL ORDER

2 06-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Nagarnausa P.S. Case No. 47 of 2020, registered under Sections 341, 307, 379, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 01.04.2020, at about 11 A.M., informant, Bikki Kumar, was present at his field. At that time, Harinandan Gope came having country made rifle in his



hand and started to abuse. When he made protest then Harinandan Gope opened fire, which hit at the left hands of his brother, Subodh Kumar. On raising alarm, Chandan Kumar, Dilip Kumar, Baldeo Yadav and Shailendra Gope (petitioner) came having gun, pistol, lathi and danda in their hand and started to cause assault. In that course, Lalendra Kumar assaulted him through danda. Thereafter, they took away 25 man Masur from his field and also Chandan Kumar snatched gold chin from his brother.

Learned counsel for the petitioner submits that while petitioner is named in the FIR but no specific overt act has been attributed against him, in fact, specific allegation has been made against co-accused, Harinandan Gope to cause firearm injury through country made rifle causing injury at the left hand of his brother, Subodh Prasad. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate, Hisla, Nalanda, in connection with
Nagarnausa P.S. Case No. 47 of 2020, subject to the condition
as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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