

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59320 of 2021**

Arising Out of PS. Case No.-496 Year-2020 Thana- CHANDI District- Nalanda

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1. SURENDRA GOPE Son of Krishna Gope Resident of Village - Bhattana Bigha, Police Station - Warisaliganj, District - Nawada.
  2. SHIV KUMAR GOPE Son of Krishna Gope Resident of Village - Bhattana Bigha, Police Station - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      06-06-2022                      Heard the learned counsel for the petitioners and  
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Chandi PS case no. 496 of 2020 registered for the offences punishable under Section 307 and other allied sections of Indian Penal Code and 27 of Arms Act.

After some arguments, the learned counsel for the petitioners seeks to withdraw the present petition in order to enable the petitioners to surrender before the learned court below and seek regular bail, however it is submitted that this Court may direct the learned court below to consider the factum of the petitioners not being the ones who had fired gun shots on



the informant resulting in firearm injury being sustained by him on his left forearm as also the fact that the other injuries sustained by the informant are attributable to all the accused persons including the petitioners herein and the same have been found to be simple in nature.

Accordingly, the present petition stands disposed off as not pressed, however with liberty to the petitioners to surrender before the learned court below and seek regular bail. It is further directed that the learned court below shall consider the aforesaid submissions made by the learned counsel for the petitioners while considering the prayer of the petitioners for grant of regular bail.

**(Mohit Kumar Shah, J)**

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