

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62697 of 2021**

Arising Out of PS. Case No.-389 Year-2021 Thana- ALAMGANJ District- Patna

Ranjeet Gope @ Ranjeet Kumar @ Ranjeet Roy, aged about 48 years, Male  
Son of Shayam Babu Gope, Resident of Kurjee Balu Per, Police Station -  
Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramakant Sharma, Sr, Advocate  
Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      12-05-2022                      Heard learned senior counsel for the petitioner and  
learned APP for the State.

The petitioner has preferred this application for grant  
of regular bail in a case registered under sections 302, 120B and  
34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the  
informant that on hearing the sound of firing, she came out near  
the railing of her house and saw the four named accused persons  
including the petitioner herein fleeing away on two motorcycles  
waving their arms. On reaching near her husband she found him  
to have been shot. It is stated that on being taken to the hospital,  
he was declared dead. About 2-3 years ago also he had been  
fired upon but his life was somehow saved.



It is submitted by learned senior counsel appearing for the petitioner that from perusal of the FIR itself it would transpire that the informant is not an eyewitness to the occurrence. The petitioner has been falsely implicated in the case only on account of his being the 'sala' (brother-in-law) of Chhatanki Gope, however the same is not possible for the reason that the petitioner is on inimical term with said Chhatanki Gope. The postmortem report does not support the allegations in the FIR. The statement of the witnesses in paragraph no. 6 of the case diary is hearsay while the confession of Chhatanki Gope has no evidenciary value. The petitioner is in custody since 08.07.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State. He submits that there is direct allegation against the four accused persons including the petitioner herein of having fired on the husband of the petitioner leading to his death having sustained multiple gun shot injuries and the postmortem report supports the prosecution case.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner together with the contents of the postmortem report



wherein multiple gun shot injuries were found on his body and three bullets were recovered, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

Anand Kr.

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