

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46004 of 2023

Arising Out of PS. Case No.-852 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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GOPAL KUMAR @ GOPAL SRIVASTAVA @ GOPAL KUMAR SINHA son
of Late Hardev Sinha R/o- ITI Colony ps- Muffasil Bettiah Dist- West
Champaran

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 341,
323, 324, 307, 379, 385 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per prosecution case, the informant runs vehicle
of Bihar State Road Transport Department and when the
informant was sitting at ticket counter, in the meantime the
accused persons named in the FIR came with weapons and
demanded extortion money for running the bus. Thereafter, co-
accused Gandhi Srivastava fired upon the informant, which hit on



his abdomen. It is further alleged that the accused persons assaulted informant's family members and his staff namely, Shivam Kumar and took out Rs. 25,000/- from booking counter and fled away.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. From the perusal of the FIR, it appears that the allegation against the petitioner and other co-accused is that they assaulted to Shivam Kumar by means of iron rod on his left hand but the injury report shows that no external injury was found on Shivam Kumar, which does not corroborates the prosecution case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 26.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Bettiah City P.S. Case No. 852 of 2022.

(Sunil Kumar Panwar, J)

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