

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49035 of 2023**

Arising Out of PS. Case No.-101 Year-2023 Thana- BARBIGHA District- Sheikhpura

Gopal Singh Son Of Surendra Singh R/O-Teus, P.S.-Jairampur, Distt.-  
Sheikhpura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                    |
|--------------------------|---|----------------------------------------------------|
| For the Petitioner/s     | : | Mr.Arun Kumar                                      |
| For the Opposite Party/s | : | Mr.Md. Mushtaque Alam                              |
| For the Informant/s      | : | Mr.Sanjay Singh, Sr. Adv.<br>Mr.Neeraj Kumar Singh |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      06-09-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 364, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with others are alleged to have assaulted the informant and tried to put in the brick kiln with intention to kill him. The alleged occurrence took place in the background of previous enmity.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific overt-



act of assaulting attributed to the petitioner. It is further submitted that the informant has not specifically stated about the complicity of the petitioner in his statement recorded u/s 164 of the Cr.P.C. Moreover, similarly situated co-accused namely, Nirbhay Kumar has already been granted bail by this Court vide order dt. 14.7.2023 passed in Cr. Misc. No. 40064 of 2023. The petitioner is languishing in judicial custody since 14.4.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barbigha P.S. Case No. 101 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura.

**(Sunil Kumar Panwar, J)**

Manishkumar/-

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