

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70388 of 2022**

Arising Out of PS. Case No.-439 Year-2020 Thana- GOGRI District- Khagaria

=====

Gopal Yadav S/O Late Vakil Yadav R/O Village- Shergad, P.S- Gogari,
District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-04-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Gogri P.S Case No. 439 of

2020 dated 09.12.2020 registered for the offences punishable

under section 307 read with 34 of the Indian Penal Code and

section 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-

accused person fired which passed beside the temple and head

of the informant and the informant saved his life and returned



home.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of village politics. Learned counsel further submitted that no one sustained firearm injury. It is further submitted that no case u/s 307 of the I.P.C and section 27 of the Arms Act is made out against the petitioner. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 09.02.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Gogri P.S. Case No. 439 of 2020, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

