

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66243 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- KOILWAR District- Bhojpur

Gopal Singh @ Rohan Parmar Son of Late Ram Bahadur Singh Resident of
village - Fuha Makhdumpur, P.S.- Koilwar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Narayan Singh.1, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner is apprehending his arrest in connection with Koilwar P.S. Case No. 133 of 2021, registered on 31.03.2021, for the alleged offence under Sections 147, 148, 149, 341, 323, 386, 387, 307, 406 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant received information about exchange of firing in two groups at Kamaluchak, in which, one person got injured and his treatment was going on at Sadar Hospital, Ara. The police reached at the spot and recovered several empty cartridges. The nearby people disclosed the name of 38 accused persons including petitioner, who were involved in firing.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to dirty village politics. The petitioner was not present at the spot at the time of occurrence. From the F.I.R., it is evident that the name of petitioner and other co-accused persons have been disclosed by the villagers, but none of the villagers is the witness of seizure, rather the seizure list witnesses are the police personnel. The allegation against the petitioner is general and omnibus. Similarly, situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 25.04.2022 passed in Criminal Misc. No. 57937 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail submitting that the petitioner is named in the FIR.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering nature of allegation against the petitioner and grant of anticipatory bail to the similarly situated co-accused persons by a Co-ordinate Bench, let the petitioner, above named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds



of Rs. 25,000/-(Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara/concerned court in connection with Koilwar P.S. Case No. 133 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) the petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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