

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68161 of 2022

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

RANJEET GOPE @ RANJEET KUMAR @ RANJEET ROY S/O Shyam
Babu Gope R/O Kurjee Balu per, P.S- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-01-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case 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.

The earlier application for bail of the petitioner was rejected vide order dated 12.5.2022 (Annexure-1) passed in Cr.



Misc. no.62697 of 2021.

It is submitted by learned counsel for the petitioner that admittedly accepting the allegations in the FIR, the informant is not an eye witness to the occurrence. The allegations are general and omnibus in nature. The petitioner has remained in custody since 8.7.2021 and postmortem report does not support the allegations in the FIR. In spite of the petitioner being in custody for more than 1 year 6 months and cooperating in the trial, there is no progress whatsoever in the trial in the learned trial Court.

Heard learned A.P.P. for the State.

A report was called for from the learned trial Court. As per the report received contained in letter dated 19.12.2022 from the Additional District and Sessions Judge -I, Civil Court, Patna City, charge is yet to be framed.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made on behalf of the petitioner, the petitioner having remained in custody for 1 year 6 months since 8.7.2021 and as per the report received from the learned trial Court charge is yet to be framed, the Court directs the petitioner to be enlarged on bail in connection with S.T. No.1323 of 2022



(arising out of Alamganj P.S. Case no. 389 of 2021) on
furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of the
learned 1st Additional Sessions Judge, Patna City, Patna.

(Partha Sarthy, J)

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