

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14062 of 2024

Arising Out of PS. Case No.-268 Year-2021 Thana- DHAMDAHA District- Purnia

Gopal Rai S/O Bhudeo Rai R/O Village- Sondeep, Ps.- Bhawanipur, Dist.-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr. Yogesh Chandra Verma, Sr. Advocate
	: Mr. Adarsh Singh, Advocate.
For the Opposite Party/s	: Mr. Yogendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 08-07-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. Petitioner seeks regular bail in connection with
Sessions Trial No. 123 of 2022 arising out of Dhamdaha P.S.
Case No. 268 of 2021 dated 27.11.2021 registered for the
offence punishable under Sections 302 and 34 of the Indian
Penal Code and 27 of the Arms Act.
3. Mr. Yogesh Chandra Verma, learned senior counsel
appearing for the petitioner submits that it is the second attempt
of the petitioner to get relief of regular bail as his earlier prayer
for the said relief was rejected by this bench vide order dated
15.03.2023 passed in Cr. Misc. No. 31068 of 2022. The fresh
grounds taken by the petitioner for the relief of regular bail are



his long incarceration period which has been about two years and seven months the relief of bail granted to the several co-accused persons namely Ranjan Mandal, Roshan Kumar Pawan, Nitish Kumar, Bambam Kumar Mehta vide orders passed in Cr. Misc. No. 19305 of 2023, Cr. Misc. No. 60424 of 2023, Cr. Misc. No. 72099 of 2023 and Cr. Misc. No. 15543 of 2024.

4. It is further submitted that there is no direct evidence against this petitioner and he has been dragged in this matter on the basis of conspiracy which is alleged to have been hatched up by this petitioner with co-accused persons but in this regard, the prosecution is mainly relying upon the confessional statement of co-accused and the call details which have not been proved as per the provisions of evidence act and furthermore, the trial of the petitioner has started and material prosecution witnesses have been examined.

5. Mr. Yogendra Kumar, learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the petitioner's custody period and also his fair and clean antecedent, this Court is now inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.10,000/-



(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sessions Trial No. 123 of 2022 arising out of Dhamdaha P.S. Case No. 268 of 2021.

(Shailendra Singh, J)

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