

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30879 of 2024

Arising Out of PS. Case No.-522 Year-2023 Thana- GOPALPUR District- Bhagalpur

Boby Kumar @ Mantosh S/o Late Ramesh Das R/o Vill - Gosaingown
(Gosaigaon), P.S. - Gopalpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Yadav, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 30-08-2024 Heard Mr. Ashok Yadav, learned counsel for the petitioner, Mrs. Renu Kumari, learned APP for the State and perused the case diary.

2. The petitioner apprehends arrest in Gopalpur P.S. Case No. 522 of 2023, registered under Sections 341, 307, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons stopped the motorcycle of the informant and co-accused namely Alok Kumar Ranjan fired upon the informant and her sons due to which her son got serious gunshot injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that there is allegation against the petitioner is of assaulting Suraj Kumar by means of iron rod but the injury is simple in nature. Specific allegation of firing is against co-accused Alok Kumar Ranjan. There is no material in the case diary to substantiate the allegation made in the FIR. The petitioner has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. Case No. 522 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Rajorshi/-

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