

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33560 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- CHANDI District- Nalanda

1. Shivalak Gope @ Tunni Gope Son Of Jugadi Gope Resident Of Village-Kaandhopeepar, Ps- Chandi, Dist- Nalanda
2. Musafir Gope Son Of Late Laxmi Gope Resident Of Village-Kaandhopeepar, Ps- Chandi, Dist- Nalanda
3. Mithlesh Kumar @ Balli Son Of Mr. Musafir Gope Resident Of Village-Kaandhopeepar, Ps- Chandi, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Vaishnavi Singh, Advocate Mr. Ajay Thakur , Advocate Mr. Ritwik Thakur , Advocate
For the Opposite Party/s :	Mr. Murli Dhar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-06-2024 At the outset, it is submitted on behalf of the petitioners that the pre-arrest bail petition of petitioner No. 2 has already been dismissed as withdrawn vide order dated 22.05.2024 .

2. Heard learned counsel for the petitioner Nos. 1 and 3 and the State .

3 . Petitioners apprehend arrest in a case registered for the offence punishable under sections 147, 148 , 149, 341 , 323 , 307, 448 , 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

4. As per the prosecution case, allegation against petitioner Nos. 1 and 3 is that they, along with other co-accused



persons, entered the house of the informant and made indiscriminate firing, as a result of which four persons from the prosecution side sustained gunshot injuries.

5 . Learned counsel for the petitioners submits that as a matter of fact it was the present prosecution party who came variously armed and started abusing petitioner No. 3, and when the mother of the petitioner No. 3 protested, she was assaulted by the present informant Ranjeet Yadav, for which Chandi P S Case No. 48 of 2024 was instituted by these petitioners against the informant side. He further submits that the present informant was a Mukhiya candidate from one side, whereas the present petitioners were the supporters of another candidate, namely Sanjay Chaudhary, and the candidate of the petitioners won, and due to that reason, the present informant was holding grudges against the family of the petitioners. There is no specific allegation against these petitioners.

6. Learned counsel for the State opposes the prayer for bail and submits that these petitioners are named in the F.I.R., and there is specific allegation against them is that they along with other co-accused persons made indiscriminate firing due to which four persons from the prosecution party sustained gunshot injury .



7. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioner No. 1 and 3 is rejected.

(Prabhat Kumar Singh, J)

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