

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38401 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- CHOUTARWA District- West Champaran

Gopi Raut @ Gopi Dom @ Gopi Ram S/o Metha Raut @ Metha Dom R/o
vill - Babu Parsauni, Manpur Makari, P.S. - Bathwaria, Distt. - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Anand, Adv

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chautarwa P.S. Case No. 26 of 2024 dated 05.02.2024 registered for the offences punishable u/s 341, 323, 354, 147, 149, 379, 302, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and 16 other co-accused persons armed with lathi and iron rod came to Bagh Bin Toli and assaulted the husband of the informant on his head due to which he sustained head injury and died during the course of treatment. It is further alleged that all the accused persons also assaulted the informant and took away the gold



chain from the neck of the informant's husband.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather there is general and omnibus allegation against the petitioner. It is further submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioner participated in the occurrence to kill the deceased. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran in connection with Chautarwa P.S. Case No. 26 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below



on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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