

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43060 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- NADI P.S. District- Patna

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1. SHESH GOPE @ SHESNATH GOPE @ SHESSHNATH GOPE SON OF LATE JAGDISH GOPE RESIDENT OF VILLAGE - JETHULI, P.S. - NADI, DISTRICT - PATNA, BIHAR
 2. KISHAN RAI @ KRISHNA PRASAD SON OF RAM PRATAP RAI @ RAM PRATAP GOPE RESIDENT OF VILLAGE - JETHULI, P.S. - NADI, DISTRICT - PATNA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Anand , Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai , APP
For informant	:	Jitendra Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 09-09-2024 Heard learned counsel for the petitioner and the

State .

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 147, 148, 149, 342, 120(B), 307, 337, 448, 436, 395, 354, 504, 506 and 427 of the Indian Penal Code and Section 27 of Arms Act.

3 . As per prosecution case , on the alleged date and time of occurrence, all the 79 F.I.R.-named accused persons including these petitioners and other 200 unknown persons armed with rifles and guns, came to the place of occurrence and started pelting stones on the Panchayat Office and made



indiscriminate firing upon them, as a result of which some of the co- villagers sustained firearm injuries. It is further alleged that co-accused Dharmendra Kumar set the house of informant on fire and co-accused Sandeep Kumar is alleged to have looted license gun .

4. Learned counsel for the petitioners submits that specific accusation of setting the house of informant is against co-accused Dharmendra Kumar and co-accused Sandeep Kumar is said to have looted license gun . So far as these petitioners are concerned, there is no specific allegation against these petitioners. As a matter of fact, petitioners side lodged Nadi PS. Case No. 76/23 against the husband of the informant of the present case and others for killing five relatives of the petitioners and in retaliation the present false and concocted case has been lodged against these petitioners.

5 . Learned counsel for the State opposes the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let these petitioners, as named above, be enlarged 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 learned JM Ist Class Patna City in connection
with Nadi P.S. case No. 78 of 2023 , subject to the conditions
laid down under section 438(2) of the Code of Criminal
Procedure .

(Prabhat Kumar Singh, J)

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