

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54458 of 2024

Arising Out of PS. Case No.-24 Year-2015 Thana- MATIHANI District- Begusarai

Gopal Singh S/o Awadh Kishore Singh R/o vill - Chak, P.S. - Matihani, Distt.
- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

5 04-12-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.T.
No. 234/2020 arising out of Matihani P.S. Case No. 24 of 2015
instituted for the offence under Sections 147, 148, 149, 302 &
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per the prosecution case, petitioner along with
other co-accused persons came, armed with weapons, to his
nephew, namely, Putul Singh and Awadh Kishore Singh, fired
upon his chest and started running. Co-accused Narayan Singh
fired upon his temporal region and Gulshan Kumar and Gaurav
Kumar Singh and others also have fired indiscriminately.



Thereafter, accused persons fled away.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08-05-2024. Petitioner bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioner rather allegation is general and omnibus in nature. Specific allegation of firing is against co-accused, Awadh Kishore Singh & ors. Petitioner was only member of the mob. Police after investigation has already submitted charge sheet in this case. Other co-accused has been granted regular bail by this Court *vide* order dated 07-10-2020, passed in Cr. Misc. No. 34 of 2020.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no direct allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 234/2020 arising out of Matihani P.S. Case No. 24 of 2015, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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