

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14023 of 2025

Arising Out of PS. Case No.-570 Year-2024 Thana- CHANDI District- Nalanda

- 1. Anil Prasad @ Anil Gop, Son of Late Rambalak Prasad, Resident of Village - Laxmibigha, P.S. - Chandi, District - Nalanda
- 2. Mithilesh Gop, Son of Anil Prasad, Resident of Village - Laxmibigha, P.S. - Chandi, District - Nalanda
- 3. Mantu Kr. @ Mantu Kumar, Son of Anil Prasad, Resident of Village - Laxmibigha, P.S. - Chandi, District - Nalanda
- 4. Dharendra Kr. @ Dharendra Kumar, Son of Anil Prasad, Resident of Village - Laxmibigha, P.S. - Chandi, District - Nalanda
- 5. Bhoju Kumar @ Titu Kumar, Son of Mithlesh Gop, Resident of Village - Laxmibigha, P.S. - Chandi, District - Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dr. Anjani Pd. Singh, Advocate.
Mr. Sunny Kumar, Advocate.
For the State : Mr. Suraj Kumar Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 At the outset, learned counsel for the petitioners submits that petitioner No.2 namely, Mithilesh Gop, has already been arrested. Hence, he is seeking permission on his behalf by deleting his name from array of the petitioners.

2. Permission is accorded.

3. Accordingly, the name of petitioner No. 2, Mithilesh Gop is deleted from the array of the petitioners.

4. Heard learned counsel for the petitioners and learned APP for the State.



5. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Chandi PS. Case No.570 of 2024 dated 16.10.2024, registered for the offences punishable under Sections 190, 191(1), 126(2), 115(2), 109, 303(1), 352, 351(1) of the B.N.S. 2023 and Section 27 of the Arms Act.

6. As per allegation, the son of the informant was surrounded by the petitioners and another co-accused Sudhir Kumar. It is further alleged that co-accused Sudhir Kumar fired at the son of the informant from his pistol hitting his palm.

7. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that specific allegation is only against co-accused Sudhir Kumar including the petitioner is omnibus and general in nature. He also submits that the petitioners have been falsely implicated in this case on account of previous enmity because the petitioners have already lodged Chandi P.S. Case No. 264 of 2024 under Section 307 of the Indian Penal Code for committing offence to attempt to murder.

8. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.



9. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

10. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

11. Considering the fact that there is no specific allegation against the petitioner and there is previous enmity between the petitioner and the informant, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Hilsa (Nalanda), in connection with Chandi PS. Case No.570 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of



the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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