

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12918 of 2025

ear-2022 Thana- KARAI PARSURAI District- Nalanda

1. Satish Kumar @ Jeeva Kumar Son of Sanjay Kumar @ Sanjay Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
2. Sanjay Kumar @ Sanjay Gope Son of Shivjee Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
3. Uday Kumar @ Uday Gope Son of Kamlesh Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
4. Indal Kumar @ Indal Gope Son of Kamlesh Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
5. Vikki Kumar @ Vikki Gope Son of Umesh Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
6. Umesh Kumar @ Umesh Gope Son of Late Ram Preet Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
7. Kamlesh Kumar @ Kamlesh Gope Son of Ramji Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
8. Umesh Gope Son of Ramji Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
9. Nagendra @ Nagendra Gope Son of Umesh Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda
10. Dharmendra Gope @ Dharmendra Son of Umesh Gope Resident of Village- Meshra, P.S.- Karai Parsurai, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2025 Heard Ms. Nitu Kumari, learned counsel for the

petitioners and Mr. Uday Chand Prasad, learned Additional

Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that

during pendency of the bail application, the petitioner nos. 6, 7

& 10, namely, Umesh Kumar @ Umesh Gope, Kamlesh Kumar



@ Kamlesh Gope and Dharmendra Gope @ Dharmendra respectively, have been arrested, therefore, the present application with respect to these petitioners becomes infructuous. Hence, she seeks permission to withdraw this application with respect to petitioner nos. 6, 7 & 10.

3. Permission is accorded.

4. Accordingly, this application stands dismissed as withdrawn as having become infructuous with respect to petitioner nos. 6, 7 & 10.

5. The petitioners (except petitioner nos. 6, 7 & 10) are apprehending their arrest in connection with Karai Parsurai P.S. Case No. 25 of 2022, F.I.R. dated 20.03.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

6. According to prosecution case, all these petitioners armed with weapon have assaulted and abused the informant and his family members. Co-accused, Kamlesh Kumar fired upon the informant and his wife due to which they sustained injuries.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. She further submits that it appears from the F.I.R that the allegation of firing is against the co-accused, namely, Kamlesh Kumar @ Kamlesh Gope and there is no specific allegation against these petitioners. The only allegation against these petitioners is that they have assaulted to informant and his family members. She further submits that there is case and counter case between the parties.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties and the specific allegation of firing is against the co-accused, namely, Kamlesh Kumar @ Kamlesh Gope, let the petitioners (except petitioner nos. 6, 7 & 10), above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Karai Parsurai P.S. Case No. 25 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure / Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

