

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15252 of 2025

Arising Out of PS. Case No.-46 Year-2024 Thana- Karnamepur District- Bhojpur

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Gopal Singh Son of Ramnath Singh Resident of Village- Mahuar, P.S.-
Nainejor, Distt.- Buxar Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Priya, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP
For the Informant : Mr. Raju Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2025 Heard Ms. Priya, learned counsel for the petitioner,

Mr. Raju Kumar Singh, learned counsel appearing on behalf of
the informant as well as Mr. Rana Randhir Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Karnamepur P.S. Case No. 46 of 2024, F.I.R. dated 16.11.2024 for the offences punishable under Sections 126(2), 103(1), 352, 351(2) and 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner intercepted the informant and his nephew and started abusing them and on protest by the informant, co-accused, Saket Singh fired upon the nephew of the informant resulting into his death.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. She further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From perusal of the F.I.R, it appears that the direct and specific allegation of firing is against the co-accused, namely, Saket Singh @ Pakachu Singh who fired upon the nephew of the informant and there is no allegation of assault or overt act attributed against the petitioner and at best the petitioner may be member of the mob.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no allegation of firing against the petitioner rather the same is on the co-accused, namely, Saket Singh @ Pakachu Singh, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st , Bhojpur at Ara in connection with Karnamepur P.S. Case No. 46 of 2024, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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