

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.70931 of 2018

Arising Out of PS. Case No.-199 Year-2018 Thana- PIRO District- Bhojpur

Umesh Pandey Son of Late Hardaya Pandey, Resident of Village- Sikadaul,
P.S.- Sikadahta, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Sunita Kumari

For the Respondent/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Piro P.S. Case No. 199 of 2018 registered for the offence
punishable under Sections 147, 148, 149, 302 and 379/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution according to the written
report of the informant is that when his brother was going on
his car and was being followed by the informant, the informant
saw that the co-accused, namely, Harshit Kumar started firing
indiscriminately upon the deceased whereafter the co-accused
Prakash Chaudhary also fired upon the brother of the
informant. Subsequently, co-accused person namely Yogendra
Singh and others are also said to have fired upon the deceased
resulting in multiple fire arm injuries on the person of the
deceased which led to his death.

The learned counsel for the petitioner submits that as
far as the petitioner is concerned, there is a general and omnibus



allegation and there is no allegation of any specific overt act of firing, hence the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner was in fact working at his place of work on the day of the incident at Madhupur as has been stated in paragraph-9 of the present bail petition. The petitioner is stated to have having clean antecedent and he is languishing in custody since 13.06.2018.

Having regard to the facts and circumstances of the case as also the fact that the main assailants are Harshit Kumar, Prakash Chaudhary and Yogendra Singh and a general and omnibus allegation has been levelled against the petitioner herein, I deem it fit and proper to enlarge the petitioner, above named, on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Arrah in connection with Piro P.S. Case No. 199 of 2018.

(Mohit Kumar Shah, J)

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