

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83662 of 2019

Arising Out of PS. Case No.-453 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

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UMESH PRASAD @ UMESH YADAV @ UNITED Son of Shri Vijay
Prasad Resident of Village- Sarthua, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 147, 148, 149, 341, 323, 307, 302, 427, 379, 504 of the
Indian Penal Code.

Allegation is that the accused persons including the
petitioner having lathi and danda in their hand came at the sweet
shop of elder brother of the informant and assaulted him and
scattered entire materials of the shop and committed theft of
Rs.30000-35000/-. Due to assault the informant's brother
sustained serious injury on his head and became unconscious
and was taken to the Hospital, where the doctor declared him
dead.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 01.11.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation of assault has been alleged against all the 18 named accused persons and 10-15 unknown. No specific overt act is alleged against the petitioner nor any specific injury is attributed against the petitioner. Due to previous enmity the alleged occurrence is said to have taken place. For oblique reasons the name of the petitioner has transpired in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned S.D.J.M., Jehanabad in connection with Makdumpur P.S. case No.453 of 2019.

Narendra/-

(Sudhir Singh, J)

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