

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39896 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- BIRPUR District- Supaul

Om Kumar Yadav, aged about 20 years, Male, Son of Manoj Bariyet,
Resident of Village - Balbhadrapur, P.S.- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjay Kumar Singh, Advocate
For the State	:	Mr. Pawan Kumar Chaurasia, A.P.P.
For the Informant	:	Mr.Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-03-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Birpur
P.S. Case No. 85 of 2020 registered for the offences punishable
under Sections 341, 342, 307, 302, 120-B, 379/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case in short is that one Parita Devi,
wife of Ganesh Prasad Yadav gave a written report on
05.07.2020 alleging therein that his husband was returning from
Godown along with his nephew (Bhagina) at about 8.30 P.M.
and when he reached near Badh place where Jagdish Karogiya,
Manish Yadav, Kundan Yadav, Sushila Devi, Binod Kumar,
Pawan Yadav @ Golu, son of Prabhu Yadav, Lalan Kumar,



Pawan Yadav, son of Kavita Lal Yadav, Chandan Kumar, Pradip Kumar Yadav, Dinesh Marveta, Pramod Kumar Mehta, Sushant Yadav, all are resident of P.S. Birpur, District- Supaul were present there along with iron rod, country made pistol and surrounded his husband and Jagdish Karogiya was also along with his licensee rifle and Sushila Devi told his husband at several times, tried to kill him but he was not succeeded. After hearing the word Jagdish Karogiya fired upon him and due to that he sustained injury and fallen down on the earth. Thereafter, motorcycle driver Pradip Kumar Yadav was also assaulted on his head due to that his nephew Kundan Kumar fired on him due to that he died at the place of occurrence.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., name of the petitioner has been surfaced in the present case by the accused before the police. He further submits that there is no overt act against the petitioner. There is general and omnibus allegation against the petitioner.

Learned counsel for the informant submits that the petitioner is the liner. On behalf of the petitioner, the other accused persons have committed the offence. Petitioner is in jail custody since 27.06.2020 and petitioner has got no any criminal



antecedent.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur, Supaul in connection with Birpur P.S. Case No. 85 of 2020.

(Anjani Kumar Sharan, J)

Nasimul/-

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

