

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2281 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- KARAHGAR District- Rohtas

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Umesh Singh @ Umesh Kumar Singh Son Of Late Chandradeo Singh
Resident Of Village- Babhani, P.S.- Kargahar, District- Rohtas ... Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2022 Heard counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kargahar P.S. Case No. 157 of 2021 lodged under Sections 147,
148, 149, 341, 323, 324, 307, 504, 506 and 302 of the Indian
Penal Code, 1860 read with Section 27 of Arms Act.

As per the allegation made in the F.I.R., Rami was at
the hand of petitioner and collectively with other co-accused
persons, he assaulted to the informant.

Learned counsel for the petitioner submits that it is
true that the *rami* was in his hand as per the allegation made in
the F.I.R. but there was no allegation against him to assault the
deceased Devendra Prajapati. Therefore, section 302 of I.P.C. is
not attracted to him. He further submits that there is another
injured persons in this case is Deepak Kumar. The allegation of

assault to Deepak Kumar is upon Rabina Kumari. Conclusively he submits that there is a general and omnibus allegation against the petitioner whereas he is in custody since 05.08.2021 and charge sheet has already been filed in this case.

Learned A.P.P. has opposed the prayer for bail in addition to that the advocate for informant/victim who appeared through separate vakalatnama in this case has opposed the prayer for bail stating that death has been caused in this case whereas there is multiple injuries to another victim. Therefore, bail should be rejected.

Considering the facts and circumstances of this case that there is a general and omnibus allegation only against the petitioner. There is neither any specific nor any overt act. Petitioner is in custody since 05.08.2021 and charge sheet has already been submitted in this case. Let the petitioner above named, be granted bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Sachin Kumar Mishra, learned J.M.Ist Class, Sasaram, Rohtas in connection with Kargahar P.S. Case No. 157 of 2021.

(Dr. Anshuman, J)

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