

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52936 of 2023

Arising Out of PS. Case No.-269 Year-2020 Thana- PATEPUR District- Vaishali

=====

UMESH KUMAR @ UMESH SHARMA S/O PRADIP SHARMA R/O Vil-
lage- Lahladpur, Baligaon, P.S- Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Madhav Kumar
For the Opposite Party/s	:	Mr.Md. Matloob Rab

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 341, 323, 379, 307, 34 of the Indian Penal Code later on Section 302 of the IPC was also added.

3. As per FIR, the allegation against the accused persons including the petitioner is that they came at the house of the informant and started assaulting him by means of lathi, danda and rod due to which he sustained head injury later on he died. In the course of the occurrence they also took away mobile and cash Rs. 5000/- from his house.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case due to previous enmity. There is no specific allegation levelled against the petitioner rather general and omnibus allegation levelled against him. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 18.04.2023 passed in Cr. Misc No. 69833 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 07.05.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patepur P.S. Case No. 269 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist, Class Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

Manishkr/-

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

