

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27308 of 2024

Arising Out of PS. Case No.-471 Year-2023 Thana- DUMRA District- Sitamarhi

Om Raj @ Om Kumar S/o Sachidanand Prasad R/o vill - Kailashpuri (Kali Mandir), P.S. - Dumra, Distt. - Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhubala Verma
For the Opposite Party : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 09-09-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumra P.S. Case No. 471/2023 dated 02.10.2023 registered for the offence punishable u/s 302 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, unknown miscreants are alleged to have entered the house of the informant and shot the informant's minor daughter dead when she was sleeping.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of



the petitioner has sprung up in the confessional statement of the co-accused, Harsh Kumar. Learned counsel has submitted that there is nothing against the petitioner except the confessional statement. As per paragraph 25 of the case diary, the co-accused Harsh Kumar in his confessional statement has stated the *modus operandi* as to how the occurrence took place with his associates. The petitioner has two criminal antecedents which are not related to similar nature of offence and he is on bail in both the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Dumra P.S. Case No. 471/2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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