

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36833 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- PANDAUL District- Madhubani

Om Prakash Kumar Son Of Baban Ray Village- Bishrampur Dubailiya, Ps-
Domariyaghat, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Pandaul P.S. Case No. 12 of 2024, registered for the offences punishable under Sections 394, 302 and 34 of the IPC and Section 27 of the Arms Act.

3. As per allegation, some miscreants were stealing out diesel from the truck. The informant saw the miscreants and when he intervened, one of the miscreant fired shot at him and when the guard attempted to catch the miscreant, one of the miscreant fired at his stomach.

4. Learned counsel for the petitioner submits the petitioner Om Prakash Kumar has stated in his confessional



statement that co-accused Vinay Kumar had fired at the deceased. It has been further submitted that so far as petitioner Om Prakash Kumar is concerned, there is no allegation of firing against him. The petitioner is under custody since 25.01.2024.

5. On the other hand, learned APP for the State has vehemently opposed the prayer for bail by submitting that the petitioner Om Prakash Kumar was also a member of the same gang which was involved in the theft of diesel and when the deceased intervened, he was shot dead by the accused persons.

6. Considering the above-mentioned facts and circumstances as well as gravity of the allegation, I do not think it to be a fit case for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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