

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17888 of 2025

Arising Out of PS. Case No.-133 Year-2013 Thana- BHORE District- Gopalganj

Umesh Kumar Singh @ Umesh Bhagat Son of Late Subhash Bhagat @
Subhash Singh Village- Shukul Dumra, P.S.- Bhore, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate
For the Opposite Party/s : Mrs. Pushpa Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-05-2025 Heard Mr. Lokesh Kumar Singh, the learned counsel
appearing on behalf of the petitioner, Mrs. Pushpa Singh, the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bhore P.S. Case No. 133 of 2013, registered for the offences
punishable under Sections 302 read with Section 34 of the
Indian Penal Code and Section 27 of the Arms Act. Petitioner
has clean antecedent.

3. The allegations as per the FIR is that the informant
received a call from his son, who informed that Subhash Singh
and others had killed the victim Suman Kumari, adopted
daughter of the informant, causing gunshot injuries. It has been
alleged that since the daughter of the informant was a witness in
Bhorey P.S. Case No. 158 of 2010 which was filed against the
accused persons, the accused persons had fired upon



Suman Kumari and had killed her.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits petitioner is not named in the FIR and his named has surfaced in this case on the confessional statement of one Bharat Singh. The learned counsel has further submitted that even, if the so called confessional statement is taken into account, there is no specific attribution assigned to the petitioner. It has further been submitted that during the course of investigation, in the statement of several witnesses, the informant, father of the deceased, has also been made an accused in the present case. The learned counsel has further submitted that the co-accused, namely, Bharat Singh, on whose confession, the name of the petitioner has come, has been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 19.12.2014, passed in Criminal Misc. No. 30682 of 2014 and petitioner is in custody since 30.11.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner is one of the co-accused who had assisted the other co-accused person in killing the daughter of the informant, namely, Suman Kumari and he does not deserve the liberty of



bail.

6. Considering the aforesaid submissions made by the respective parties and taking into account that there is no specific role assigned to the petitioner and his name had surfaced in the confessional statement of one co-accused, namely, Bharat Singh, who has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Judicial Magistrate, 1st Class, Gopalganj, in connection with Bhore P.S. Case No. 133 of 2013, subject to the following conditions:-

(i) If, the petitioner involvement is found in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of their bail bonds.

(ii) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(iii) The petitioner shall remain physically present in Court on each date of the trial.

(iv) In case of absence on two consecutive dates or in



violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(v) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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