

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18533 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Umesh Jha @ Nandan Jha S/O Late Gulab Jha @ Gulab Ji R/O Village-
Sanha, East Tola, Ward No. 5, P.S- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Sahebpur Kamal P.S. Case No. 08 of 2025 instituted for the
offences under Sections 103(1), 61(2), 3(5) of the Bhartiya
Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of firing upon the deceased due to which he
sustained fire-arm injury upon his right *Panjara* and died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to non-fulfillment of illegal demand of the informant. There



is no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness in this case. The petitioner has no concern with the father-in-law of the informant namely Suresh Mahto in any manner whatsoever. There is not a single independent witness who has supported the prosecution case. The petitioner was also not seen at the time of occurrence. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has one criminal antecedent and is languishing in judicial custody since 14.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. He further submits that there is direct allegation of firing against the petitioner. Several witnesses at paragraph nos. 10, 11, 12 and 22 of the case diary have fully supported the prosecution case. The postmortem report supports the prosecution case. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.



6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also there being direct allegation of firing against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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