

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31169 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- DESARI District- Vaishali

Umesh Rai S/o Late Vilash Rai Resident of Village-Bishanpur Ijra @
Bishunpur Ijra, P.S- Chandpura, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Giridhar Gopal Tiwary, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Desari P.S. Case No. 243 of 2024 registered for the offences punishable under Sections 191, 329(3), 329(4), 109, 352 of the BNS and Section 27 of the Arms Act.

3. Allegedly, while the informant was sitting at his *Darwaja*, in the meanwhile, the petitioner along with others and some unknown miscreants came there and started indiscriminate firing. On hearing the gun shot, the villagers gathered there whereupon all of them fled away.

4. Learned counsel for the petitioner submitted that the FIR has been instituted in the backdrop of land dispute; the details of which has been mentioned in paragraphs no.16 and 17



of the bail petition. Taking this Court through the FIR, it is further contended that admittedly no one has sustained any injury; the omnibus allegation has been levelled against all the accused persons of causing firing, thus taking note of the aforesaid fact, the co-accused persons having identical allegation have been accorded the privilege of anticipatory bail by the co-ordinate Bench of this Court in Cr. Misc. No. 1188 of 2025 vide order dated 05.02.2025.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the petitioner bears one criminal antecedent; apart from there is allegation of firing.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that none has sustained any injury and the case of the petitioner is based on parity, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI-cum Sub-Judge XII, Vaishali at Hajipur/successor court, Hajipur in connection with



Desari P.S. Case No. 243 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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