

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39607 of 2025

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

Umashankar @ Sipahi Ji @ Umashankar Rai @ Sipahi Rai S/o- Late Jiram Rai @ Sriram Rai Resident of Village- Suarmarwa Police Station-Maner District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Pravin Kumar, Adv. Mr. Kumar Rajdeep, Adv. Mr. Purusottam Kumar, Adv.
For the Opposite Party/s	:	Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 24-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihta P.S. Case No. 999 of 2022 dated 29.09.2022 registered for the offences punishable u/ss 147, 148, 149, 307, 379, 160, 216, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant got information that two rival gangs were firing indiscriminately against each other. When the police party reached the spot and took position, the accused persons fled away from the place of occurrence. It is further alleged that the petitioner is the operator



of gang and currently he is in jail and at the instance of the petitioner, the illegal mining of sand is operated.

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 was disclosed by local villagers and Chowkidar. The informant is not an eye-witness to the alleged occurrence. The petitioner has no concern with the alleged offence. It is further submitted that there is no allegation of firing against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The accused person has already been granted anticipatory bail by this court vide order dated 11.03.2024 passed in Cr. Misc. No. 8937 of 2024. The petitioner has 19 criminal antecedents in which he is on bail in 18 cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.12.2024.

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, Danapur in connection with Bihta P.S. Case No. 999 of 2022, with following conditions:-

(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 bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in any criminal case in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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