

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89268 of 2025

Arising Out of PS. Case No.-158 Year-2017 Thana- UCHKAGAON District- Gopalganj

Omkar Pandey Son of Late Rammurat Pandey Resident of Village- Tola
Sipaya, PS- Bisambharpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Vyas Kumar Mishra, learned counsel
appearing on behalf of the petitioner and Mr. Vinod Shanker
Modi, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Uchkagaon P.S. Case No. 158 of 2017 registered for the
offence(s) punishable under Sections 307 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the petitioner
along with other co-accused persons have fired upon the
informant, as a result of which, he sustained firearm injury on
his hand.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is not named in the
Uchkagaon P.S. Case No. 158 of 2017 and only after issuance of



process under Section 82 Cr.P.C., corresponding section 84 of BNSS, he came to know that the present criminal case is pending against him. Thereafter, petitioner immediately availed remedy before the learned District Court but his pre-arrest bail application was rejected, leading to filing of the present bail application.

5. Considering the fact that the petitioner is not named in the FIR and immediately after having knowledge about the present case, the petitioner has availed remedy before the learned District Court, the petitioner is directed to surrender and seek regular bail before the learned District Court. In that case, the learned District Court is directed to consider the bail application of the petitioner on the same day, without being prejudiced by earlier order dated 18.11.2025 passed in ABP No.1575 of 2025.

6. The bail application stands disposed of.

(Purnendu Singh, J)

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