

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35249 of 2019**

Arising Out of PS. Case No.-149 Year-2018 Thana- SARMERA District- Nalanda

RAJEEV RANJAN MAHTO @ KARU MAHTO Son of Late Raj Kumar
Mahto Resident of Village-Chhoti Malawan, P.S.-Sarmera, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 29-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.2.2019 in a case registered for the offences punishable under Sections 147,341,307 and 504 of the I.P.C. and under Section 27 of the Arms Act.

The prosecution case as per the written report of Seema Devi submitted to the SHO, Sarmera Police Station is to the effect that on 31.12.2018, when the informant was at her house, seven accused persons including the petitioner came and started abusing. It is further alleged that when the husband of the informant made protest, they shot fire and caused injury on the back of the informant's husband and the other shot fired by the accused persons hit on the brother-in-law of the informant namely Rohit.



It is submitted by learned counsel for the petitioner that the accusation of firing is omnibus and general. The accusation is not specific that out of seven accused persons who opened fire.

Learned APP submits that the petitioner is named in the FIR with specific accusation of firing.

Considering the accusation of firing being omnibus and general against seven persons and the period in custody, coupled with the fact that the investigation has already been concluded, 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 learned I/c ACJM – VI, Nalanda at Biharsharif in connection with Sarmera P.S. Case No.149 of 2018.

(Dinesh Kumar Singh, J)

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