

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17399 of 2022

Arising Out of PS. Case No.-525 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MAHARAJA KUMAR S/o Anuj Kumar @ Anuj Kumar Singh R/o village-
Bikharipura, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Advocate
Mr. Abhishek Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Muzaffarpur Sadar P. S. Case No. 525 of 2020 registered for the
offence under Sections 341, 326, 307, 504, 506 and 34 of the
Indian Penal Code and Section 27 of the Arms Act was added
later on.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.08.2021.

The allegation against the petitioner is to fire upon the
informant along with other co-accused persons, with intention to



cause death, when informant refused to take delivery of wine.

Learned counsel appearing on behalf of the petitioner submitted that allegation of firing is not specific rather same is general and omnibus in nature against this petitioner. It is also submitted that no firearms and explosive substance were recovered from conscious physical possession of the petitioner. It is also submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 12946 of 2022 dated 16.05.2021. It is also submitted that petitioner is involved in 03 criminal cases, in which, he is on bail. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that allegation as regard to firing is general and omnibus.

Considering the facts and circumstances as mentioned above and also considering the nature of allegation regarding firing, which appears general and omnibus against this petitioner coupled with the fact that charge-sheet has already



been submitted, let the petitioner, above named, is directed to be released on bail in connection with Muzaffarpur Sadar P. S. Case No. 525 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 15th Additional District & Sessions Judge, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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