

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24687 of 2025

Arising Out of PS. Case No.-937 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Nepali S/O Pathal @ Jitendra Rajak R/O Kachahari Chowk, P.S- Saharsa,
Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Binod Kumar Sinha, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 115(2), 126(2), 109 and 352 of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, on 06.09.2024, while informant was sitting at his chicken shop, in the meantime, all the F.I.R. named accused persons, including this petitioner, came there and abused and assaulted informant by means of firearms as a result of which he sustained gunshot injury.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific



accusation of causing fire arm injury is against co-accused Sanoj Yadav. So far as this petitioner is concerned, there are general and omnibus allegations and no specific accusation of overt act has been alleged against this petitioner. Charge-sheet has already been submitted and petitioner is in custody since 07.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the general and omnibus nature of accusation and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner 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 learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 937 of 2024.

(Prabhat Kumar Singh, J)

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