

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28471 of 2014

Arising Out of PS.Case No. -306 Year- 2013 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Sahdeo Bhagat Son of late Nanhak Bhagat @ Chaurasia
 2. Shambhu Bhagat Son of Sri Sahdeo Bhagat
 3. Rajesh Bhagat Son of Sri Sahdeo Bhagat
 4. Sukhal Bhagat Son of Late Laldeo Bhagat All resident of village- Mustafapur, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 24-12-2014

Heard both sides.

The petitioners Sahdeo Bhagat, Shambhu Bhagat, Rajesh Bhagat and Sukhal Bhagat seek bail in Bidupur P.S. Case No. 306 of 2013, registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code.

Father of the deceased named six persons and made allegation that all the accused persons brutally assaulted his son Andher Bhagat with Lathi, Sticks. Sahdeo Bhagat petitioner no. 1 exhorted other accused persons to kill.

Learned counsel for the petitioners submits that there is omnibus and general allegation of assault against all the other accused persons. There is a counter version that the accused made

an attempt to outrage the modesty of the wife of Bimal Bhagat.

There appears that there is allegation against all the accused persons, that they brutally assaulted Andher Bhagat and from perusal of the post-mortem report many injuries were found all over the body resulting in death of Andher Bhagat in course of treatment.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, their prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same within nine months, if the trial is not concluded, then the petitioners may renew their prayer for bail before the court below.

(Prabhat Kumar Jha, J.)

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