

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46417 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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Sanjay Bhagat, son of Sri Mahesh Bhagat, Resident of Village- Bathna,
P.S. Motipur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-12-2016 Heard Sri Nachiketa Jha, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 19.02.2016, on being remanded in the present case i.e. Baruraj P.S. Case No.133/15 registered for the offence under Sections 399, 402, 414, 120B of the Indian Penal Code, Sections 25(1-b)a, 26(ii), 35 of the Arms Act and Sections 20, 22 of the N.D.P.S. Act, has prayed for grant of bail.

By way of referring to F.I.R, it was submitted by learned counsel for the petitioner that of course, petitioner's name has come in Column no.7 of the F.I.R. i.e. accused column, on perusal of the F.I.R., it is evident that the informant, who is a police officers, has named the petitioner as one of the accused in the present case. He further submits that on secret information, a



raiding party was prepared and conducted a raid and 8-10 persons after noticing the police party started fleeing away, out of them five accused persons were apprehended, but they did not disclose the name of the petitioner. However, to the reasons best known to the police officer, who has lodged the F.I.R. had disclosed that one of the accused, who was inside the jail, has conspired for preparing and assembling for committing dacoity. It has been argued that the petitioner has falsely been implicated in the present case as well as in other cases.

Besides hearing learned counsel for the parties, I have also perused the materials available on record, particularly the F.I.R. On perusal of the F.I.R. the Court is satisfied that it is a fit case for extending the privilege of bail, Accordingly, let the petitioner, namely, Sanjay Bhagat 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 Sessions Judge-cum- Special Judge, Muzaffarpur in connection with Baruraj P.S. Case No.133/2015.

(Rakesh Kumar, J)

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