

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51189 of 2015

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Santosh Bhagat @ Santosh Kumar Bhagat @ Santosh Kumar Singh, son of
Prem Bhagat @ Prem Kumar Singh, Resident of village- Maudah Dih, P.S.-
Patepur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar

For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 08-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Patepur
P.S. Case No. 104 of 2015, registered under Sections 447 and
307/34 of the Indian Penal Code and Section 27 of the Arms Act.

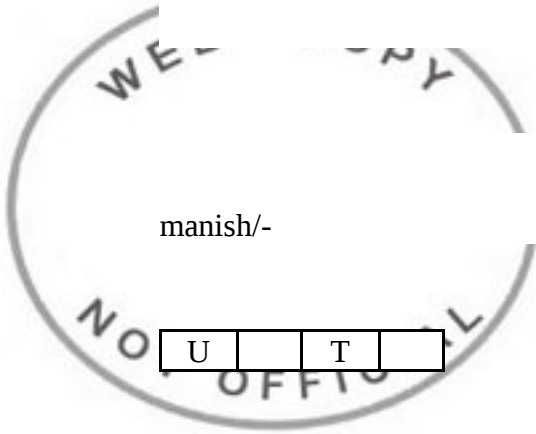
The allegation of informant, namely, Veena Devi is
that on 31.07.2015 at about 9.00 P.M., while she was sleeping,
two persons came at her door and started knocking the door.
When she opened the door, she saw two persons were standing
there out of whom, she identified the petitioner Santosh Bhagat.
At that time both the persons had enquired about her son for the
purpose of marriage, then she replied that marriage of her son
has already been performed. Then they also asked about son of

his brother-in-law Shivjee Thakur on which she replied that he is a minor, aged about 10 years. At that time the other person, standing with the petitioner, shot fire at the informant and fled away from there.

Learned counsel appearing on behalf of the petitioner submits that petitioner and informant are co-villager and he has falsely been implicated in this case due to village diary politics. Moreover, there is only specific allegation against the co-accused and petitioner was simply present at the spot. The petitioner is in custody since 02.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Pandey, Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Patepur P.S. Case no. 104 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause

being shown, the court concerned would be at liberty to take steps
for cancellation of his bail bonds.



(Rajendra Kumar Mishra, J)