

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17762 of 2017

Arising Out of PS.Case No. -217 Year- 2015 Thana -BAJPATTI District- SITAMARHI

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1. Ramishwar Bhagat, son of Late Ram Vilash Bhagat,
2. Dashrath Bhagat, son of Late Ram Vilash Bhagat.
3. Ram Prasad Bhagat, Son of Late chhathu Bhagat.
4. Kishore Bhagat, Son of Ram Prasad Bhagat.
5. Ruplal Bhagat, Son of Ram Prasad Bhagat, All resident of Village-Harpurwa P.S. Bajpatti, Distt.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv

For the Opposite Party/s : Mr. Sri Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017 The petitioners are apprehending their arrest in connection with Bajpatti P.S. Case No. 217 of 2015, registered for the offences punishable under Sections 341, 323, 324, 379, 354, 506/34 of the Indian Penal Code.

The allegation against petitioner no. 1 is that he has assaulted the informant by knife twice repeatedly. So far as other petitioners are concerned there is allegation of assault by bricks and snatching of gold chain. The allegation against petitioner no. 5 is of pulling sari of the informant.

It has been submitted on behalf of the petitioners that even according to the FIR, it would appear that the dispute arose



for the rasta of the parties due to that the petitioners have been implicated in this case. So far as Sections 354 and 379 of the Indian Penal Code is concerned, witnesses have not supported the offence, during the course of investigation.

Heard learned A.P.P. who has opposed the prayer for bail.

Having heard both sides and in view of the allegation against petitioner no. 1, Ramishwar Bhagat, is concerned, he is directed to surrender before the court below and make prayer for regular bail, which would be considered on its own merit, without being prejudiced by anything said in this order.

The bail application of petitioner no. 1, Ramishwar Bhagat, is hereby rejected.

So far as petitioner nos. 2 to 5 are concerned, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned **S.D.J.M. Pupri at Sitamarhi**, in connection with **Bajpatti P.S. Case No. 217 of 2015**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i). One of the bailor of the petitioners shall



be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(2).The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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