

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.489 of 2017

Arising Out of PS.Case No. -125 Year- 2012 Thana -BHORE District- GOPALGANJ

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Shatrughan Bhagat Son of Late Subhash Bhagat Resident of Village -
Shukul Dumar, Police Station - Bhore, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.08.2016 in connection with Sessions Trial No. 842 of 2016,
arising out of Bhore P.S. Case No. 125 of 2012 registered for the
offences punishable under Sections 147, 148, 149 and 302 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that all the 11 FIR named
accused, which included the petitioner, assaulted the step-mother
of the informant, as a result she succumbed to the injuries. Certain
other persons from informant's side also received injuries.

It has been submitted by the counsel for the petitioner
that the postmortem report specifies only two injuries, which
could not be caused by the petitioner as there is specific allegation



of assault against co-accused, Braj Kishor Singh @ Brij Kishor Bhagat, who has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 9931 of 2013 on 13.08.2013. He submits that some other co-accused have also been granted the privilege of bail by this Court and the petitioner was working in Gulf Country since 18.12.2012 and after returning back, he surrendered voluntarily.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials available on record and that charge-sheet has already been submitted and other co-accused have since been granted the privilege of bail, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Gopalganj in connection with Sessions Trial No. 842 of 2016, arising out of Bhore P.S. Case No. 125 of 2012.

(Nilu Agrawal, J.)

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