

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43477 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Manshi Bhagat @ Munshi Bhgat, Son of Laxman Bhagat, resident of
Village- Ghaghanti, P.S.- Chakia, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Chakia
P.S. Case No. 172 of 2017, registered for the offences punishable
under Sections 341, 323, 324, 447, 379, 504, 307 and 302 of the
Indian Penal Code.

Allegation against the accused persons, including the
petitioner is that they have come over the land of the informant
and they have assaulted the deceased Bijendra Kumar. Further
allegation is that they have also assaulted Bharat Bhagat and
Vinay Kumar by knife.

Submission of learned counsel for the petitioner is that
petitioner and informant are agents and no such occurrence has
taken place. However, so far allegation of assaulted against the



petitioner is concerned, there is allegation that he assaulted Bharat Bhagat and Vinay Kumar but no such injury report is available on record and as a matter of fact one Jiyalal Bhagat gave bamboo blow on the deceased due to which he died and post mortem report shows that injury on the head was fatal and he is in custody since 24.6.2017.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for bail stating that during course of investigation witnesses have supported the prosecution case.

Having heard both sides and in view of facts and circumstances, as stated above. let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XII, East Champaran, Motihari, in connection with Chakia P.S..Case No. 172 of 2017, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and



appear on each and every date and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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