

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17868 of 2017

Arising Out of PS.Case No. -62 Year- 2009 Thana -BRAHMPURA District- MUZAFFARPUR

1. Manoj Bhagat, Son of Paras Bhagat, Resident of village - Jhitkahiya, P.S. Brahampur, District - Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate

For the Opposite Party : Smt. Veena Kumari Jaiswal (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Brahampur P.S Case No. 62 of 2009 registered for the offences punishable under Section 384, 387, 307, 323, 324, 120(B) of the Indian Penal Code and Section 4/5 of Explosive Substances Act.

Allegedly, the petitioner and other co-accused due to non-fulfillment of demand of ransom threw two bombs upon the informant and others when they were talking after sitting on *chauki* near the shop and the splinter of bombs hit the informant, the petitioner and others have been identified by the informant.

Submission is of false implication and that injury caused are simple, the petitioner has been made accused as he is brother of Pawan Bhagat, the petitioner has got no concern with his brother Pawan Bhagat and all the family members including the father have been made accused due to enmity. The petitioner



is in custody since 15.12.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that now there is no chance of tampering with the prosecution evidence, the injury caused are simple in nature and no ransom was paid and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Brahampura P.S. Case No. 62 of 2009, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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