

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55610 of 2018

Arising Out of PS. Case No.-989 Year-2015 Thana- AHIYAPUR District- Muzaffarpur

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1. Rama Nand Bhagat, S/o Saryug Bhagat,
 2. Chinta Devi, W/o Rama Nand Bhagat,
 3. Mukesh Kumar @ Mukesh Bhagat, S/o Rama Nand Bhagat,
 4. Munni Kumari, D/o Rama Nand Bhagat, All R/o Vill.-
Manjholiya Post- Jhaphan, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Alok Kumar Alok, Advocate.
For the Opposite Party	:	Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 307, 354,
337, 338, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on 28.10.2015,
while the informant was returning his house from his shop at
about 8.00 P. M on the way he was intercepted by co-accused
Shatrughan Bhagat, Devendra Bhagat and petitioner no. 1 and
he was assaulted by co-accused Shatrughan Bhagat by *Iron rod*



over his head causing head injury. His sister-in-law was also assaulted by accused persons when she turned up to rescue the informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The police after investigation submitted final form against the petitioners finding the case to be false but the learned court below differed with the said final form and has taken cognizance for the offence under Section 307 and other allied Sections of the IPC. Petitioner nos. 2 and 4 are ladies.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge-XV-cum-A.C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 989 of 2015, subject to conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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