

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58192 of 2018

Arising Out of PS. Case No.-129 Year-2018 Thana- BHAWANIPUR District- Purnia

Ashok Bhagat @ Ashok Kumar Bhagat son of Sita Pati Bhagat R/o
Bhawanipur, P.S. Bhawanipur, District Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-10-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Bhawanipur P. S. Case
No. 129 of 2018 instituted for the offence under Section(s)
302/34 of the Indian Penal Code.

In the written report it is alleged that husband of the
informant was returning on motorcycle with one Munna Mandal
and in the way he was shot. Subsequently, he died in the
hospital during course of treatment. The informant has raised
suspicion against this petitioner and two other accused persons
as named in the written report.

Learned counsel for the petitioner has submitted that
during investigation, statement of witness Munna Mandal, who



was accompanying the deceased, was recorded which is available at paragraph no. 17 of the case diary, wherein, he has not taken the name of this petitioner. Learned Sessions has also mentioned in the impugned order statement of witness Lutan Mandal which is available at para 52 of the case diary, wherein, he has stated that he has seen Aman with gun on the motorcycle. The Sessions judge has also mentioned in the impugned order the statement of witness, namely, Manohar Choudhary which is available at para 53 of the case diary, wherein, he has stated that at the time of occurrence he has seen Amit Kumar, who was driving the motorcycle and Aman Bhagat was sitting behind with a gun and they were chasing Ajit Kumar.

In this manner, there is no allegation of overt act against this petitioner.

Learned counsel for the informant has appeared and opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Purnea, in connection with Bhawanipur P. S. Case No. 129 of 2018 subject to the condition that both the bailers shall be the close relative of the



petitioner.

(Sanjay Priya, J)

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