

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43018 of 2019

Arising Out of PS. Case No.-301 Year-2015 Thana- DHAKA District- East Champaran

RAKESH BHAGAT S/o Birodhi Bhagat R/o Village- Chandrahiya, P.S.-
Dhaka, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dhannjay Kumar No. 2, Advocate.
For the Opposite Party : Mrs.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 02.04.2019 in a case for the offence registered under Sections 147, 148, 149, 448, 341, 323, 324, 307, 354, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 17.12.2015 at about 9.00 P.M. the informant Neetu Devi was in her house, in the meantime, all the accused persons including this petitioner entered into her house, assaulted and disrobed her. When she cried, Pappu Bhagat, Munna Bhagat and Mohan Bhagat came in rescue, on the order of accused Raj Kishore



Bhagat, this petitioner (Rakesh Bhagat) took Farsa from the hand of Pawan Bhagat and gave Farsa blow on the head of Pappu Bhagat causing cut injury. Accused persons also assaulted her by leg and fist and made her nude to some extent. The further case is that on 18.12.2015 in the morning, accused Pawan Bhagat, Roochi Kumari and Kanti Devi set fire on her body but anyhow, she saved herself by untying her clothes.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. The matter has already been compromised between the parties vide Annexure-3 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.



Sikrahana at Dhaka, East Champaran in connection with Dhaka
P.S. Case No. 301 of 2015.

U.K./-

(Sudhir Singh, J)

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