

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24093 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- BARURAJ District- Muzaffarpur

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Dhiraj Kumar, aged about 19 years, Male, Son of Harendra Bhagat, Resident of Village - Goshaipur, P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25210 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- BARURAJ District- Muzaffarpur

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Shiv Kumar, aged about 21 years, Male, S/o Gopal Bhagat, Resident of Village- Goshaipur, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 24093 of 2020)

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the State : Mr.Ramchandra Sahani, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 25210 of 2020)

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the State : Mr.Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-10-2020 Heard the parties through the virtual court proceeding.

The petitioners seek bail in connection with Baruraj
P.S. Case No. 26 of 2020 registered for the offences punishable
under Sections 341, 323, 504, 506, 307, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case is that the informant has given a



written report before SHO Baruraj on 10.03.2020 alleging therein interalia that on the same date at about 8 p.m., he was sitting at his door along with his brother Lal Babu Bhagat, in the meantime suddenly petitioner and Shiv Kumar came there with arms and petitioner Dhiraj Kumar fired upon him then he fell down to save his life. It is further alleged that thereafter Shiv Kumar gave a knife blow on the neck of his brother, as he tried to save her bending herself, then anyhow his neck was saved but he was injured.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in the present case. He further submits that actual fact is that informant call the petitioners at the place of occurrence for panchayati and when on call, the petitioners and their brother went at the place of occurrence, they were apprehended by the informant and their relatives and associates and falsely implicated him with false and concocted story. Learned counsel for the petitioners further submits that the charge sheet has been submitted under Sections 341, 323, 504, 506 and 307/34 of I.P.C. and charge sheet has been submitted against arms act. The petitioners are in jail custody since 12.03.2020.



Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each only with two sureties of the like amount each to the satisfaction of learned Sri Mahendra Mishra, Judicial Magistrate, 1st Class, Muzaffarpur in connection with Baruraj P.S. Case No. 26 of 2020.

(Anjani Kumar Sharan, J)

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