

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29308 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- GANGABRIDGE District- Vaishali

1. CHANDESHWAR BHAGAT Son of Late Munni Lal Bhagat @ Munilal Paswan Resident of Village-Koari Buzurg, P.S.-Ganga Bridge, District-Vaishali.
2. Sanjay Bhagat Son of Chandeshwar Bhagat Resident of Village-Koari Buzurg, P.S.-Ganga Bridge, District-Vaishali.
3. Vijay Bhagat Son of Chandeshwar Bhagat Resident of Village-Koari Buzurg, P.S.-Ganga Bridge, District-Vaishali.
4. Pappu Bhagat Son of Chandeshwar Bhagat Resident of Village-Koari Buzurg, P.S.-Ganga Bridge, District-Vaishali.
5. Chandan Bhagat Son of Chandeshwar Bhagat Resident of Village-Koari Buzurg, P.S.-Ganga Bridge, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Umeshnand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Ganga Bridge
P.S. Case No. 178 of 2019, registered for the offences
punishable under Sections 341, 323, 324, 385, 307, 504, 506,
427 and 34 of the Indian Penal Code and section 27 of the Arms



Act.

Prosecution case in brief is that on 18.10.2019 at 8.30 am, while the informant was at his betel shop, all the petitioners variously armed came there and demanded Rs. 50,000/- as *Rangdari*. On refusal, petitioner no. 1 is alleged to have assaulted with sharp cutting weapon on the head of informant. Petitioner no. 2 and 4 are alleged to have fired upon the informant which did not hurt anyone. When the son of informant came to save him, he was also assaulted by them with lathi and iron rod, as a result of which he became injured.

It is submitted that petitioners have been falsely implicated in this case due to long standing land dispute between the parties. There is general and omnibus allegation. As per the FIR, petitioner no. 1 is alleged to have assaulted the informant on his head by means of sharp cutting weapon, but from injury report, it appears that injury sustained by the informant is simple in nature caused by hard and blunt substance. So far as, other petitioners are concerned, there is general and omnibus allegation against them.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of



receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 178 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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