

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75732 of 2019

Arising Out of PS. Case No.-436 Year-2018 Thana- SARAIYA District- Muzaffarpur

SANJAY KUMAR, aged about 44 years, Male, Son of Late Bishwanath Bhagat @ Late Vishwanath Bhagat Resident of Village- Bisarpatti, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 20-07-2020 Heard learned counsel for the petitioner as well as learned A.P.P.

The informant, wife of the deceased, filed a written report alleging, inter alia, that on 24.9.2018 at about 7 A.M. Kaushal Bhakt and Sheoji Shah accompanied her husband followed by her alongwith her both children. When she reached, she saw her Jeth Rajkumar Bhagat, Deor Sanjay Kumar, mother-in-law Shanti Devi, elder Gotani Renu Devi and her both sons Prabhakar Kumar and Dipu Kumar alongwith some unknown persons, who began to assault her husband. During midst thereof, her mother-in-law instigated, whereupon her Deor and Jeth took out pistol and shot respectively, as a result of which, her husband fell down. Thereafter, he was brutally



assaulted with lathi. She tried to intervene, whereupon she was also ordered to be killed by her mother-in-law. In order to save herself as well as her children, she rushed therefrom.

From the postmortem report altogether four ante mortem injuries have been found of which injury no.4 has only been found caused by firearm while injury nos. 1 and 2 caused by hard and blunt substance, injury no.3 caused by sharp pointed weapon and considering inconsistency with the allegation, Jeth Raj Kumar Bhagat was granted bail vide order dated 29.7.2019 under Cr.Misc.No. 17040/2019.

Consequent thereupon, the petitioner Sanjay Kumar is directed to 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 Addl. Chief Judicial Magistrate, West Muzaffarpur in Saraiya P.S.Case No. 436/2018, G.R.No. 3307/2018.

(Aditya Kumar Trivedi, J)

Surendra/-

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