

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84452 of 2019**

Arising Out of PS. Case No.-102 Year-2019 Thana- ASHOK PAPER MILL District-
Darbhanga

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BRAHAMDEV BHAGAT @ BRAHMDE BHAGAT S/o Late Yugeshwar
Bhagat R/O village- Sripur, P.S.- Ashok Paper Mill (APM), District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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WITH

CRIMINAL MISCELLANEOUS No. 81004 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- ASHOK PAPER MILL District-
Darbhanga

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RAKESH BHAGAT S/o Brahamdev Bhagat R/o village- Sripur, Bahadurpur,
P.S.- Ashok Paper Mill (APM), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 84452 of 2019)

For the Petitioner/s : Mr. Siddhartha Prasad

For the Opposite Party/s : Mr. Amitesh Kumar

(In CRIMINAL MISCELLANEOUS No. 81004 of 2019)

For the Petitioner/s : Mr. Siddhartha Prasad

For the Opposite Party/s : Mr. Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 18-03-2020 Heard learned counsel for the petitioners and

learned APP for the State.

As both these cases arise out of the same P.S. Case
number, hence with consent of parties, they have been heard
together and are being disposed of by this common order.



The petitioners seek bail in a case registered for the offence punishable under Sections 302 & 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 12.07.2019 at around 5 AM, the informant has received a call from the brother-in-law of his sister Lalita Devi and asked him to reach her matrimonial house. Thereafter, the husband of his sister disclosed that his sister has fled away last night at about 11 PM with Rs.55,000.00 from the house. He further stated that on enquiry he found that the accused persons including the petitioners with the help of others villagers have killed his sister and in the evening at about 4 PM the dead body of his sister Lalita Devi was recovered from water logged field of one Singhasan Bhagat. The informant further stated that the marriage of his sister was solemnized with accused Vijay Bhagar in the year 2006 and since then she has been subjected to harassment by her husband and her in laws and lastly they killed her.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioner Rakesh Bhagat (Cr. Misc. No.81004 of 2019) is the son of petitioner Brahamdev Bhagat (Cr. Misc. No.84452 of 2019).



They have been falsely implicated in the case due to dirty village politics. No over act has been attributed to the petitioners. Petitioners are not even the family members of the deceased. In para-43 of the case diary, the husband of the deceased has confessed his involvement in the crime. Petitioner Brahamdev Bhagat has been languishing in custody since 17.07.2019, while petitioner Rakesh Bhagat has been languishing in custody since 14.07.2019.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Darbhanga in connection with Ashok Paper Mill P.S. Case No.102 of 2019.

(Anjani Kumar Sharan, J.)

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