

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28702 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- BELSAND District- Sitamarhi

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Arun Bhagat, Male, aged about 25 years, Son of Mahandra Bhagat, Resident of Village- Ufraulia Riga, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 26-02-2021 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in connection with Belsand P.S. Case No. 168 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The brief fact of the written application of the informant namely Ram Niwash Mahto alleging therein, in brief, is that the F.I.R. named accused except the petitioner had given threaten to kill him and in that course on 06.11.2019, this petitioner had came to his house and left his defective motorcycle and took the motorcycle in condition of his son and on the next day i.e. 07.11.2019, the petitioner called his son to take his motorcycle and his son went to take his bike but did not return and later on, he received information about murder of his son. It has further been clearly stated that the petitioner along



with other co-accused persons named in the F.I.R. have committed murder of his son for the dispute of land.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and he further submits that there is no direct allegation of committing murder against the petitioner. There is no eye witness of the said occurrence and the allegation against the petitioner is only that he has last seen with the deceased.

Learned A.P.P. for the State opposed the bail petition and submits that the petitioner has criminal antecedent and petitioner is main instrumental in the commission of murder of son of the informant.

Considering the submission of the parties, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with Belsand P.S. Case No.168 of 2019 pending in the court of Jyoti Kumar, A.D.J.-IX, Sitamarhi is hereby rejected at this stage.

(Anjani Kumar Sharan, J)

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