

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40760 of 2020

Arising Out of PS. Case No.-5 Year-2016 Thana- GOPALPUR District- Bhagalpur

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PAPPU BHAGAT @ PAPPU SAH @ SANJEEV KUMAR Son of - Manindra
Bhagat @ Manindra Prasad, Resident of Mohalla- Durga Mandir Road, P.S.-
Naugachia, District- Bhagalpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav
For the Opposite Party/s : Mr. Jitendra Kumar Singh
Mr. J. N. Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
all the defects pointed out by the office within one month.

The petitioner apprehends his arrest in connection with
Gopalpur P.S. Case No. 05/2016 registered for the offence
punishable under sections 302/201/120(B)/34 of the Indian
Penal Code.

The learned counsel for the petitioner has submitted
that the FIR has been lodged against the present petitioner only
on the basis of suspicion. He has further submitted that during
investigation, no incriminating material emerged against the
petitioner. As such, the Final Form was submitted against the
petitioner and the charge sheet was submitted against the co-



accused Domi Mandal, Dinesh Mandal and Gholti Mian. He has further submitted that there is a delay of 13 days in lodging the FIR and the petitioner is a man of clean antecedent.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail.

Considering the fact that during investigation no incriminating material was emerged and the Investigating Authority has submitted the Final Form against the petitioner, let the petitioner above named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 05/2016, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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