

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5422 of 2022

Arising Out of PS. Case No.-284 Year-2021 Thana- MADHUBAN District- East Champaran

1. Kamlesh Kumar Son Of Khublal Bhagat Resident Of Village- Madhopur, P.S.- Madhuban, District- East Champaran
2. Rajmangal Prasad Son Of Late Aami Bhagat Resident Of Village- Madhopur, P.S.- Madhuban, District- East Champaran
3. Khublal Prasad Son Of Late Aami Bhagat Resident Of Village- Madhopur, P.S.- Madhuban, District- East Champaran
4. Bhaagmati Devi @ Bhagmati Devi Wife Of Ramsebak Bhagat Resident Of Village- Madhopur, P.S.- Madhuban, District- East Champaran
5. Ramsebak Bhagat @ Ramsebak Bhagat @ Ramsebak Prasad @ Sebak Bhagat Son Of Late Chaliti Bhagat Resident Of Village- Madhopur, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyank Samdarshi
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2022 Learned counsel for the petitioners submits that the petitioner no. 3 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 3.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 3.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.



Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 447/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits though occurrence took place on 22.08.2021 but FIR was lodged on 01.09.2021 after delay of 10 days. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific allegation upon co-accused Rakesh Kumar who assaulted the informant by means of Tangul. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the fact that there is delay in filing the FIR, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six



weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Madhuban P.S. Case No. 284 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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