

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65495 of 2021**

Arising Out of PS. Case No.-400 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ram Lagan Bhagat @ Lago Bhagat S/o Laddu Bhagat R/o village-
Rachaiyahi Kachahari Tol, P.S.- Mufasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 8127 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SHANKAR THAKUR Son of Late Nago Thakur @ Raghuni Thakur Resident
of Village - Rchiyahi, P.s.- Muffasil (Begusarai), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 65495 of 2021)

For the Petitioner/s : Mr. N.K. Agrawal (Sr. Adv.)
Mr. Kumar Rajdeep (Adv.)
Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Dashrath Mehta

(In CRIMINAL MISCELLANEOUS No. 8127 of 2022)

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 29-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with Mufasail

(Singhaul) P.S. Case No. 400 of 2021, registered for the



offences punishable under Sections 324, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is that the accused-petitioners had shot fire at informant's father due to which he sustained injury on his chest.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the informant is not the eye-witness, as it is apparent from the FIR itself. He also submits that even in the case-dairy, the victim has only expressed doubt about the role of the accused-petitioners.

The petitioners namely, Ram Lagan Bhagat @ Lago Bhagat and Shankar Thakur have been languishing in jail since 03.08.2021 and 28.11.2021 respectively.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedent.

However, the learned APP for the State



vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Concerned Court below in connection with Mufsail (Singhaul) P.S. Case No. 400 of 2021, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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