

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.508 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Madan Bhagat Son Of Late Ramuchit Bhagat
 2. Naresh Bhagat @ Naresh Rai Son Of Madan Bhagat
Both R/O Village- Adharpur, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10075 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

RAGHUNATH BHAGAT S/o- Mahendra Bhagat Resident of Village-
Adharpur, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 508 of 2022)

For the Petitioner/s : Mr.Baidyanath Prasad, Adv

For the Opposite Party/s : Mr.Satyendra Narayan Singh,APP

(In CRIMINAL MISCELLANEOUS No. 10075 of 2022)

For the Petitioner/s : Mr.Baidyanath Prasad,Adv

For the Opposite Party/s : Mr.Satyendra Narayan Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioners and learned

APP for the State.



Petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323,324, 307, 302, 354, 380, 435, 436, 452, 427 of the Indian Penal Code.

Allegations against these petitioners is that they entered into the house of informant and dragged out the informant's mother and brutally assaulted causing her death and one Anwar who came for rescue, he too was assaulted by them,causing his death at D.M.C.H. Darbhanga. The accused petitioners also assaulted the family members of the informant who came to rescue and setting the house of the informant on fire.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. that the allegations are general and omnibus against 20-31 accused persons including 11 named accused persons. He further submits that there is no specific allegation against the petitioners. He further submits that the present case is counter blast of Mufassil P.S.Case No. 280 of 2021 filed by the family members of the petitioners against the family members of the informant. The



police after investigation submitted chargesheet against the petitioners and petitioners Madan Bhagat and Naresh Bhagat are in custody since 19.07.2021 and petitioner Raghunath Bhagat is in custody since 05.07.2021.

Learned counsel appearing on behalf of the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioners and submit that there is direct allegation against these petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Muffasil (Samastipur) P.S. Case No. 282 of 2021, with the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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