

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11856 of 2022**

Arising Out of PS. Case No.-50 Year-2020 Thana- HUSSAINGANJ District- Siwan

1. KARAN KUMAR SON OF LATE RAMASHRAY BHAGAT R/O VILLAGE- CHAPIYA BUZURG, P.S.- HUSSAINGANJ, DIST.- SIWAN
2. MANOJ BHAGAT SON OF LATE RAMASHANKAR BHAGAT R/O VILLAGE- CHAPIYA BUZURG, P.S.- HUSSAINGANJ, DIST.- SIWAN
3. ANISH BHAGAT SON OF BHAGWAN BHAGAT R/O VILLAGE- CHAPIYA BUZURG, P.S.- HUSSAINGANJ, DIST.- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 19-12-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 379 and 34 of Indian Penal Code.

As per the prosecution case, it is stated by the informant that he received information from his neighbour about his elder uncle having been assaulted by some persons. It is further stated that the injured was taken to the hospital for treatment where he died on 12.3.2020. The informant further states that he suspects the accused persons including the three



petitioners herein of having given effect to the occurrence.

It is submitted by learned counsel appearing for the petitioners that the petitioners have been falsely implicated in the case. Neither the informant is an eye witness to the occurrence nor any incriminating material has transpired in course of investigation to connect the petitioners with the alleged crime. Even in the paragraph numbers of the case diary mentioned in the order of the learned trial Court rejecting the application for bail of the petitioners, no material has transpired against the petitioners. They are in custody since 30.9.2021. Further co-accused Raju Bhagat has been enlarged on bail. The petitioners have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the FIR together with the material that has transpired in course of investigation and the petitioners having remained in custody for more than 1 year since 30.9.2021, the Court directs the above named three petitioners to be enlarged on bail in connection with Sessions Trial no. 361 of 2021 (arising out of Hussainganj P.S. Case no. 50 of 2020) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Additional
District and Sessions Judge-VII, Siwan.

(Partha Sarthy, J)

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