

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63243 of 2021**

Arising Out of PS. Case No.-237 Year-2021 Thana- MINAPUR District- Muzaffarpur

JAILAL BHAGAT @ JAI NARAYAN BHAGAT Son of Fakira Bhagat
Resident of Village - Ali Neura Balu Zirat, P.S.- Minapur, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-04-2022 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 petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that the informant gave a written report to the S.H.O. Mninapur, Muzaffarpur stating therein that a year back he has given a sum of Rs.25,000/- to Ranjit Bhagat son of the petitioner and while he was making demand to return the same, Ranjit Bhagat, on some



pretext, did not return the same. Further alleged that on 02.06.2021 when he went to demand his money from Ranjit Bhagat, then petitioner alongwith his family members armed with weapon and started abusing and assaulting him. Ranjeet Bhagat is said to have assaulted him with Iron Farsa on the head of his son Pramod Bhagat and he fell down. Thereafter Jailal Bhagat (Petitioner) who was armed with Sword, assaulted his son causing injury on hand and chest and they took away a sum of Rs.1600/- from his pocket. They also assaulted other persons, who have come to save them, they were also assaulted and they also assaulted the informant. The son was brought in S.K.M.C.H., Muzaffarpur for treatment.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that the allegation against the petitioner is that he assaulted to Pramod Bhagat with Sword and he fell down. He further submits that in fact the petitioner and informant are full brother and there is a dispute with regard to demand of money and there is case and counter case between the parties and both sides have sustained injury and it appears from the injury report that the injury is simple in nature and the petitioner is in custody



since 13.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Minapur Police Station Case No.237 of 2021, with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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