

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66926 of 2021

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

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1. Bhola Bhagat Son of Late Ramuchit Bhagat Resident of village- Adharpur, P.S. - Muffasil, District - Samastipur.
 2. Manish Bhagat @ Manish Kumar Son of Bhola Bhagat Resident of village- Adharpur, P.S. - Muffasil, District - Samastipur.
 3. Lakhan Bhagat @ Ram Lakahan Bhagat Son of Late Ram Jyoti Bhagat Resident of village- Adharpur, P.S. - Muffasil, District - Samastipur.
 4. Ram Swaraj Bhagat Son of Late Ramuchit Bhagat Resident of village- Adharpur, P.S. - Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baidyanath Prasad, Advocate
For the Informant	:	Mr. Md. Murad Ashraf, Advocate
For the State	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-05-2022 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. 282 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 the petitioners are in custody since 19.07.2021.

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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