

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58820 of 2022

Arising Out of PS. Case No.-98 Year-2016 Thana- KUDHNI District- Muzaffarpur

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BASANT BHAGAT @ BASANT KUMAR BHAGAT S/O LATE
MAHESHWAR BHAGAT Resident of village- Chhagor Sangram, P.S.-
Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kurhani P.S. Case No. 98 of 2016 for the offence registered
under Sections 10, 11, 13, 17, 18, 18(A), 19 and 20 of the U.A.P.
Act.

The allegation is regarding the police having received
secret information to the effect that some extremists had
gathered at the alleged place of occurrence to blast the railway
track, situated near the bridge of village-Tariya, whereafter raid
was conducted and three co-accused persons were apprehended
from the spot, who upon interrogation disclosed the name of the
petitioner to be one of the miscreant involved in hatching



conspiracy to blast the railway track.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 04.02.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in four other criminal cases, however, in three of them, he has been acquitted and in the remaining one, he is on bail. It is also submitted that the co-accused persons, who were apprehended from the spot, have already been granted bail by a Co-ordinate Bench of this Court vide order dated 11.07.2016 passed in Criminal Misc. No. 27590 of 2016. It is also submitted that one another similarly situated co-accused person has also been granted bail by a Co-ordinate Bench of this Court vide order dated 26.08.2021 passed in Criminal Miscellaneous No. 31752 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already



been granted bail by Co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Special Judge-cum-Sessions Judge, Muzaffarpur in connection with Kurhani P.S. Case No. 98 of 2016.

(Mohit Kumar Shah, J)

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