

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14948 of 2023

Arising Out of PS. Case No.-51 Year-2021 Thana- RAJEPUR District- East Champaran

RAJENDRA BHAGAT S/O RAMASHISH BHAGAT R/v- Madhopur
Fulwariya, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shrarma, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection with Rajepur P.S. Case No.51 of 2021 instituted under Sections 147, 148, 149, 341, 323, 302, 307, 326, 504, 506, 120B of the Indian Penal Code lodged on 10.04.2021 by the informant Tetri Devi.

As per the prosecution story, the informant stated that on 09/04/2021 at 6.00 PM one person came and informed that somebody are assaulting Raghunath Bhagat. After getting information the informant along with her husband went there and saw nine persons who were named in the FIR were assaulting her father-in-law by means of iron rod. Further



allegation is that her husband Ranjit Bhagat tried to save his father on which the accused persons also assaulted him and accused Baiju Bhagat ordered to kill him also. Accused Rajendra Bhagat gave knife blow with intention to kill the husband of informant due to which the husband of informant sustained head injury and fell unconscious and accused persons fled away from the place of occurrence after thinking him dead. Informant took her husband and father in- law to S.K.M.CH. Muzaffarpur, where doctor declared Raghunath Bhagat dead. Accordingly, the FIR.

The allegation in the FIR is of giving knife blow to the victim person.

Perusal of the order-sheet of learned Sessions Judge shows that the injury was recorded by doctor is hard and blunt substance which caused the death of the victim.

In view of the fact that no knife injury is there on the person of the deceased coupled with the fact that he do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on anticipatory bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on



furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Rajepur P.S. Case No.51 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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