

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25998 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- BIDUPUR District- Vaishali

1. VIJENDRA PASWAN @ VIJENDRA BHAGAT @ BHULLA Son of Jagdeo Bhagat Resident of village - Mustafapur, P.S - Bidupur, Distt. - Vaishali
2. Jitendra Bhagat @ Jitendra Kumar @ Kamal Bhagat Son of Jagdeo Bhagat Resident of village - Mustafapur, P.S - Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avnish Kumar Singh
For the Opposite Party/s	:	Mr. Umeshanand Pandit
	:	Mr. Ranjit Kumar Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 447, 448, 323, 324, 307, 384, 504 and 506 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioners have assaulted the informant, his brother and nephew by means of Hasua.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is false allegation against the



petitioner no.1 that he has assaulted the informant, his brother and nephew by means of Hasua. He submits that there is no specific overt act against the petitioner no.2 this fact is also not denied by learned counsel for the informant. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State along with learned counsel for the informant vehemently opposing the bail application and submits that the allegation levelled as the petitioner no.1 is serious in nature and the injury found upon the victim is grievous in nature. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is specific overt act against the petitioner no.1 to assault the informant and his family members and injury was found grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail in connection with Bidupur P.S. Case No. 583/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. Insofar as petitioner no.2 is concerned, there is no specific overt act against petitioner no.2, let the petitioner no.2, named above, in the event of his arrest/surrender before the



learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bidupur P.S. Case No.583/2022subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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