

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28217 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- SINGHESHWAR District- Madhepura

RAJA KUMAR BHAGAT @ RAJA BHAGAT S/o Bhola Bhagat Resident of
Village- Gauripur Ward No.4, P.S.- Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate Mr. Saket Kumar Singh, Advocate Mr. Rakesh Singh, Advocate
For the Opposite Party/s :	Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that over a trivial dispute relating to disposal of waste from the house, the accused persons started to assault the informant's father. Thereafter it is stated that he saw Ajay Kumar Bhagat and the petitioner herein kill the informant's father by suffocating him with a towel.

It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated



in the case. The manner of occurrence is other than what has been narrated in the F.I.R. The prosecution case is not supported from the contents of the postmortem report wherein no external visible injury has been found on the body of the deceased. The petitioner is in custody since 9.1.2022 and charge-sheet has been submitted in the case.

It is further submitted by learned Senior counsel that vide order dated 23.12.2022 passed in Cr. Misc. no. 44290 of 2022. The application for bail of the F.I.R. named co-accused Ajay Kumar Bhagat was rejected, however with liberty to the said petitioner therein that he may renew his prayer for bail after framing of charge. It is submitted that as per oral instructions received charge has been framed in the learned trial Court against both Ajay Kumar Bhagat and the petitioner herein and the co-accused Ajay Kumar Bhagat has been enlarged on bail.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made, the petitioner having remained in custody since 9.1.2022 and investigation in the case having concluded, in view of the fact that charge has



been framed in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Singheshwar P.S. Case no. 224 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

