

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49717 of 2023

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

Raj Kishore Bhagat Son Of Jagdeo Bhagat Resident Of Village- Madhopur
Phulwariya, Ps- Rajepur, Dist- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 307, 326, 504, 506, 120(B) of the Indian Penal Code.

As per the prosecution story, the informant stated that on 09.04.2021 at 6 P.M, 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 F.I.R were assaulting her father-in-



law by means of iron rod and when her husband tried to save his father, the accused persons started assaulting him and on order of co-accused Baiju Bhagat, co-accused Rajendra Bhagat gave knife blow with intention to kill the husband of the informant due to which, he sustained head injury and fell unconscious. The informant thereafter took her husband and father-in-law to the hospital where doctor declared Raghunath Bhagat dead.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is no specific allegation against the petitioner and petitioner is only member of the unlawful assembly. The petitioner is agnate of the informant and in the background of some land dispute, the present accusation has been levelled against him. Moreover, other co-accused has been granted bail by a coordinate Bench of this court vide order dated 17.10.2022 passed in Cr. Misc. No. 63268



of 2021. The petitioner is languishing in custody since 19.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Rajepur P.S. Case No. 51 of 2021.

(Sunil Kumar Panwar, J)

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