

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62100 of 2023**

Arising Out of PS. Case No.-117 Year-2023 Thana- MADHAURAH District- Saran

1. Shashikant Bhagat @ Pappu Bhagat @ Shashikant Malakar @ Shashikant S/O Late Bhagirath Bhagat R/O Goura Bazar, P.S.-Marhourah (Goura O.P.), District-Saran At Chapra.
2. Rajanikant Bhagat S/O Late Bhagirath Bhagat R/O Goura Bazar, P.S.-Marhourah (Goura O.P.), District-Saran At Chapra.
3. Kallu Bhagat S/O Prabhu Bhagat R/O Goura Bazar, P.S.-Marhourah (Goura O.P.), District-Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      16-10-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Marhowrah (Goura O.P.) P.S. Case No. 117 of 2023 dated 04.03.2023 instituted for the offence punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 28.02.2023 at about 10.30 am, the informant was at her house. The petitioners along with other co-accused came to her house and abused her due to previous enmity. One of the co-accused,



namely, Harish Bhagat assaulted on her head with iron rod due to which she sustained injury on her head. When Bajrangi Bhagat, Karan Bhagat, Shila Devi and Dharmveer Bhagat came to intervene, petitioner Pappu assaulted on the head of Bajrangi with rod and another co-accused Manish assaulted on the head of Karan Kumar with iron pipe. Golu Bhagat assaulted on the head of Dharmveer Bhagat with butt of pistol due to which he sustained injury. They also assaulted Shila Devi with rod and danda. It is alleged that petitioner Rajnikant torn the cloth of the informant and one of the co-accused Gaytri Kumari snatched her *mangalsutra*. Petitioner Kallu snatched chain from the neck of Bajrangi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that both the parties are agnates and there is a land dispute between them. Learned counsel for the petitioners submits that the present case has been lodged in relation to Marhourah (Goura O.P.) P.S. Case No. 106 of 2023 registered under Section 307 of the Indian Penal Code and allied sections, which has been lodged on 01.03.2023 by the petitioner Shaktikant against the informant and her family members. Learned counsel for the petitioners submits that allegation



levelled against the petitioners is totally false and concocted. Learned counsel for the petitioner submits that nature of injury is simple, caused by hard and blunt substances. Learned counsel for the petitioners further submits that the present First Information Report has been lodged after four days of occurrence without any explanation. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Marhowrah P.S. Case No. 117 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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