

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60968 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- VAISHALI District- Vaishali

1. Nandlal Bhagat Son Of Vishwanath Bhagat Resident Of Village - Mansoorpur, P.S. - Vaishali, District - Vaishali
2. Shail Devi Wife Of Manjay Bhagat Resident Of Village - Mansoorpur, P.S. - Vaishali, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Vaishali P.S. Case No. 125 of 2023 dated 27.03.2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427, 504 and 506 of the Indian Penal Code.

3. As per the prosecution story, at about 09:30 am all the accused persons including these petitioners variously armed came at the house of the informant, abused him and assaulted him. It is alleged that co-accused Manjay Bhagat gave an iron rod blow on his head as a result of which blood started oozing out. It is further alleged that when the family members of the



informant came to rescue him, accused persons assaulted them also.

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 allegations are general and omnibus in nature and there is no specific allegation of causing any overt act against the petitioners. Learned counsel submits that similarly situated persons namely Vikash Bhagat, Avinash Bhagat, Birendra Bhagat and Anil Bhagat have been granted bail *vide* order dated 23.08.2023 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 50865 of 2023. Lastly, it has been submitted that the petitioners have one case against them.

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

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 petitioner within a period of six weeks from today, in connection with Vaishali P.S. Case No. 125 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 Chief Judicial Magistrate, Vaishali at Hajipur, subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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