

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60752 of 2023

Arising Out of PS. Case No.-206 Year-2011 Thana- KANTI District- Muzaffarpur

Suresh Bhagat @ Suresh Kushwaha S/O Jagdev Bhagat R/O Village-
Bakatpur, Bishunpur Ganga, Ps. Kanti, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 14-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Kanti P.S. Case No. 206 of 2011 dated
26.06.2011 (G.R. No. 1325 of 2011) registered for the offence/s
punishable u/ss 302 and 120B of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have fired on the informant's
husband due to that he died.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of the investigation. The specific allegation of firing on the informant's husband is against the co-accused Nandu Bhagat and Ranveer Bhagat. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as finding no specific allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur West in connection with Kanti P.S. Case No. 206 of 2011 (G.R. No. 1325 of 2011), subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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