

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68465 of 2022

Arising Out of PS. Case No.-292 Year-2021 Thana- MAIRWAN District- Siwan

RAJAN BHAGAT @ RAJAN KUMAR SON OF NAGENDRA BHAGAT
R/O VILLAGE- ATTAWAN, P.S.- MAIRWA, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 337, 325, 308, 379, 448, 504 and 506 of the Indian Penal Code pending in the learned court below.

As per the FIR, all the accused persons armed with lathi, danda came at the door of the informant and started abusing her. After that Nagendra Bhagat along with other co-accused persons entered into the house of the informant and assaulted her due to which she became unconscious.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is no specific overt act



against the petitioner. He further submits that the occurrence took place on 12.09.2021 and FIR lodged on 16.09.2021 after delay of about four days. He submits that there is no any explanation for the delay in filing of the present FIR which creates serious doubt about the prosecution case. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that petitioner is only a member of the mob, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mairwa P.S. Case No.292/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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