

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74166 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. DEVI BHAGAT @ DEVENDRA BHAGAT Son of Gonaur Bhagat R/v-
Gosai Chapra, P.S.- Saraiya, District- West Muzaffarpur
2. NIRAJ BHAGAT @ NIRAJ KUMAR Son of Devi Bhagat @ Devendra
Bhagat R/v- Gosai Chapra, P.S.- Saraiya, District- West Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8093 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- SARAIYA District- Muzaffarpur

JITENDRA BHAGAT @ JITENDRA KUMAR Son of Ravindra Bhagat R/v-
Gosai Chhapara, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74166 of 2022)

For the Petitioner/s : Mr. Brahamputra Singh Ishu
Ms. Poonam Kumari

For the Opposite Party/s : Mr. Sanjay Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 8093 of 2023)

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-06-2023 Heard the parties.

As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.



The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 307, 325, 504/34, 302 of the Indian Penal Code.

As per the FIR, the petitioners along with other co-accused persons assaulted the informant and his family members due to which they sustained injuries. It is alleged that the mother of the informant died during the course of treatment.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the allegation against the petitioners is that they assaulted the informant and his father by means of weapons but the injuries have been found to be simple in nature. He further submits that the specific allegation is against the co-accused persons, namely, Chandan Bhagat, Raja Bhagat and Kapi Bhagat to assault the mother of the informant due to which she died during the course of treatment. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.



Having regard to the facts and circumstances of the case as well as considering the arguments advanced by the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Saraiya P.S. Case No.257 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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