

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4379 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- MAHARAJGANJ District- Siwan

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Mukesh Bhagat Son Of Rajesh Bhagat Resident Of Village- Takkipur Takipur,
Police Station - Maharajganj, District – Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra

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

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Maharajganj P.S. Case No. 55 of 2023, dated 04.03.2023 for the offenses punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons including the petitioner came to the door of the informant regarding the recruitment of Anganwari. They started abusing and threatening him. Meanwhile, the petitioner assaulted the informant with sword on his head, the co-accused Deepak Bhagat assaulted with farsa on his hand and the co-accused



Rajesh Bhagat ordered to kill, when Dinesh Bhagat, the informant wife and daughter came to rescue all the accused persons assaulted them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The Petitioner has no criminal antecedent stated in para 3 of the bail petition. There is case and counter case between both the parties.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner has inflicted sword blow on the head of the informant causing head injury. The injury is stated to be grievous in nature

6. Considering the aforesaid facts and circumstances of the case as well as the grievous injury and the specific allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the court below concerned within six weeks from today and pray for regular bail and the learned Court below may consider the prayer for regular bail of the petitioner in accordance with law on the same day without being prejudiced by this order.



7. The application stands disposed of.

(Chandra Prakash Singh, J)

Ranjeet/-

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