

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21789 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- MOTIPUR District- Muzaffarpur

1. Chandradev Bhagat @ Chandradeo Bhagat Son of Late Ramavtar Bhagat Resident of Village-Senduari, P.S.-Motipur, District-Muzaffarpur.
2. Sandeep Kumar Son of Ganesh Bhagat Resident of Village-Senduari, P.S.-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in Motipur P.S. Case No. 398 of 2023, registered under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioners along with other co-accused persons entered into the house of the informant, inflicted lathi, danda and iron blow on the head of his wife, assaulted the informant along with his brother and son, as well as snatched gold chain, mangalsutra and jitiya.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is no any specific allegation levelled against



the petitioners, rather the allegation is general and omnibus in nature. The nature of injury sustained by wife of the informant is grievous in nature and the nature of injury sustained by the son of the informant is simple in nature caused by heavy and blunt substance. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 19.03.2024 passed in Cr. Misc. No. 20436 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case No. 398 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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