

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41956 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- RAJEPUR District- East Champaran

1. Alok Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
2. Vikram Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
3. Karimchandra Bhagat @ Kirmchandra Kumar Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
4. Suraj Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
5. Manoj Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
6. Prem Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran
7. Awadesh Bhagat Son Of Murari Bhagat Village- Mahuwa Brit Ps- Rajepur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307, 379, 354B, 504 and 506 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that



petitioner Nos. 1 and 5 have antecedent of three cases, petitioner No. 2 has antecedent of four cases, petitioner Nos. 3 and 6 have antecedent of two case, petitioner No. 4 is a person with clean antecedent and petitioner No. 7 has antecedent of one case, but then all the cases have been implicated by the family members on account of dispute. It is next submitted that from perusal of allegation as alleged in the FIR, it would manifest that informant alleges that Murari Bhagat assaulted the informant by *fersa* causing injury on head and thereafter assaulted his father by *fersa* and iron rod, thereafter Murari along with Manoj are alleged to have assaulted the wife of the informant by an iron rod, next Manoj and Alok are alleged to have torn the cloth of the wife of informant and Suraj is alleged to have snatched Rs. 5,000/- from the informant.

4. Learned counsel for the petitioners submits that from perusal of allegation as alleged in the FIR, it would manifest that the specific allegation of assaulting the informant and his father by *fersa* is against Murari Bhagat. It is further submitted that wife of the informant is also said to have received grievous injury but then from perusal of injury report, it manifests that pain in the wrist is said to have grievous but then allegation of assaulting her is also against Murari. It is



further submitted that allegation of tearing cloth and snatching Rs. 5,000/- is ornamental. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and Murari Bhagat is not a petitioner in the instant case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 the learned trial court where the case is pending/successor court in connection with Rajepur P.S. Case No. 28 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

