

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60899 of 2024

Arising Out of PS. Case No.-110 Year-2014 Thana- DEWARIA District- Muzaffarpur

Sudhir Bhagat @ Sudheer Bhagat @ Loha Singh, aged about 38 years, Male,
Son of Ramdeo Bhagat @ Ram Dev Bhagat, R/o- Mahabbatpur, P.S.-
Deoriya, Dist- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate
For the Opposite Party : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with UAP No. 1/2015, arising out of Deoria P.S. Case No. 110/2014 dated 22.11.2014 registered for the offences punishable under Sections 121A, 122, 123, 120B, 414 of the I.P.C., Sections 3, 4 and 5 of the Explosive Substances Act and Sections 10, 13, 16B, 18, 19, and 20 of the U.A.P. Act.

3. A report regarding the present stage of the trial has been sent by the learned Sessions Judge-cum-Special Judge, Muzaffarpur, by which he has reported that the case is fixed for hearing on cognizance awaiting prosecution sanction order.

3. As per the prosecution case, police apprehended



eight persons while they were organizing a meeting for committing a crime and recovered four motorcycles, 13 detonators, 16 splinters, 2 black colour Walki Talki and its charger and Adopter, wire and cotton thread to be used for making country made bomb, 23 pieces bills disclosing naxal activities and six cell phones. The apprehended co-accused persons disclosed the name of the petitioner and other co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was not apprehended on the spot. His name has surfaced in the present case on the basis of the confessional statement of the co-accused persons. No incriminating article has been recovered from his possession. It is submitted that the other co-accused person, namely, Babulal Paswan, has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 51421 of 2016 under order dated 15.02.2017, annexed as Annexure-2 series to the present bail application. The petitioner has six criminal antecedents and in one case he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 21.07.2018. It is further submitted that the prosecution is



responsible for the delay at the stage of cognizance.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with UAP No. 1/2015, arising out of Deoria P.S. Case No. 110/2014 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found involved in any other criminal case in future, his bail bond is liable to be cancelled.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

