

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71090 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- MAHUA District- Vaishali

1. Munna Bhagat Son of Mahendra Bhagat Village- Chakmajahid, Ps- Mahua, Dist- Vaishali
2. Nagendra Bhagat Son of Mukhtar Bhagat Village- Chakmajahid, Ps- Mahua, Dist- Vaishali
3. Mukesh Bhagat Son of Nagendra Bhagat Village- Chakmajahid, Ps- Mahua, Dist- Vaishali
4. Rakesh Bhagat Son of Nagendra Bhagat Village- Chakmajahid, Ps- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Adv.
For the Opposite Party/s: Mr. Rabindra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 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 147, 341, 504, 436, 427, 506 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have abused and assaulted the informant brutally. It is further alleged that on instigation by co-accused Surendra Bhagat, co-accused Ravi Prakash Bhagat and co-accused Shyam Prakash Bhagat set the house of informant



on fire.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific overt act against co-accused Ravi Prakash Bhagat and Shyam Prakash Bhagat. Petitioners were members of the unlawful assembly only and except this there is nothing against them. Learned counsel further submits that petitioner nos. 1 & 4 have one criminal antecedent, whereas petitioner nos. 2 & 3 have two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, 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



lower Court where the case is pending/successor Court in connection with Mahua P.S. Case No. 320 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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