

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71992 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- MOKAMAH District- Patna

SHAMBHU BHAGAT SON OF LATE RAMDEV BHAGAT RESIDENT OF
VILLAGE - MOR INGLISH, P.S. - MOKAMA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 69770 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- MOKAMAH District- Patna

LALAN BHAGAT S/O-LATE KAPIL BHAGAT RESIDENT OF VILLAGE
BARAHPUR, P.S. MOKAMA, DISTRICT PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 71992 of 2023)
For the Petitioner/s : Mr.Raja Ram Mishra, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP.
(In CRIMINAL MISCELLANEOUS No. 69770 of 2023)
For the Petitioner/s : Mr.Raja Ram Mishra, Adv.
For the Opposite Party/s : Ms.Anita Kumari, APP.
Mr. Suraj Kumar, Adv.
Ms. Megha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 329-01-2024
- As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.
2. Heard learned counsels for the parties.
3. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

4. Allegedly, both the petitioners are said to have committed murder of the informant's father due to land dispute.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is admitted land dispute between the parties. There is no eye witness in the present case. They have been made accused in the present case merely on suspicion. It is further submitted that one of the co-accused, namely, Mukesh Kumar was apprehended by the police and stated in his confessional statement that he along with other co-accused persons had assaulted the deceased brutally, but has not taken the name of these petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail and submits that petitioners are also involved in committing murder of the



deceased. Hence, they do not deserve the privilege of anticipatory bail.

7. Considering the arguments of the parties as well as the confessional statement of the apprehended co-accused, namely, Mukesh Kumar, 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 Mokama P.S. Case No. 117 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

