

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70571 of 2024

Arising Out of PS. Case No.-125 Year-2023 Thana- VAISHALI District- Vaishali

Suresh Bhagat Son of Devnath Bhagat Resident of village -Mansoorpur, PS-
Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Vaishali P.S. Case No. 125 of 2023 dated 27.03.2023, instituted
for the offence punishable under Sections 147, 148, 149, 341,
323, 324, 307, 379, 427, 504 and 506 of the Indian Penal Code.

3. As per the prosecution story, at about 09:30 am, all
the accused persons including the petitioner variously armed
came at the house of the informant, abused him and assaulted
him. It is alleged that co-accused Manjay Bhagat gave an iron
rod blow on his head as a result of which blood started oozing
out. It is further alleged that when the family members of the
informant came to rescue him, the accused persons also
assaulted them.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that there is no specific allegation against the petitioner rather the allegation is general and omnibus. It is alleged that co-accused Manjay Bhagat gave an iron rod blow on the head of the informant as a result of which blood started oozing out. It is submitted that Manjay Bhagat has been granted anticipatory bail vide Criminal Miscellaneous No. 61605 of 2023 by a co-ordinate Bench of this Court. Other co-accused persons, namely, Nandlal Bhagat and Shail Devi have been granted anticipatory bail vide Criminal Miscellaneous No. 60968 of 2023 by this Court. It is also submitted that similiary situated persons, namely, Vikash Bhagat, Avinash Bhagat, Birendra Bhagat and Anil Bhagat have been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 50865 of 2023. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Vaishali P.S. Case No. 125 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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