

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.154 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- JURAWANPUR District- Vaishali

Jaynath Bhagat S/o Dhurkheli Bhagat Resident of village- Paharpur Purvi
,ward no 8 and 9 ,P. S.- Juravanpur,District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Surendra Mohan, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Juravanpur P.S. Case No. 40 of 2023 dated 03.04.2023 registered for the offences punishable u/ss 341, 323, 354, 307, 379, 504, 506, 427 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant was at his house, all of a sudden accused Pawan Kumar and Ravindra Bhagat were committing forceful act with Annu Kumari. When the informant went to save her, all the accused persons as named in the F.I.R. including the petitioner entered the house of the informant's devar, Satendra and started abusing. When the informant protested, they caught hold of her hair and pushed her down due to which her



modesty was outraged. Accused Ravindra Bhagat and Paswan Kumar pushed the informant's niece Annu Kumari and both of them started dragging her after wrapping her Odhni around her neck and due to which she became unconscious and her modesty was also outraged. On hulla, when Raju Kumar came, accused Pappu Kumar assaulted him with iron rod causing head injury. Accused Santosh Kumar broke the lock of the house and took away Rs. 13749/- in cash and ornaments, clothes etc. Accused Pramod Kumar damaged the L.E.D., Cylinder, Gas Chulha etc. Rudal Bhagat and Yogendra Bhagat also damaged the hand pipe, windows, door etc. Accused Ajgaibi and Jainath Bhagat (petitioner) and Manoj Bhagat also damaged the toilet's gate, seat etc. Accused Rajendra Bhagat assaulted the informant with iron rod on her hand. All the accused persons were armed with deadly weapons and they threatened of dire consequences.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of assault against the petitioner rather the allegation against the petitioner is general and omnibus. Learned counsel has further submitted that there is a case and counter case between the parties. As per the injury report of the injured, the injury is simple in nature. Nothing has been recovered from the possession of the petitioner and the petitioner



has no concern with the alleged offence. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 31.08.2023 passed in Cr. Misc. No. 54347 of 2023. The petitioner has three criminal antecedents as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 40 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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