

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5352 of 2024

Arising Out of PS. Case No.-683 Year-2021 Thana- SITAMARHI District- Sitamarhi

Prabhu Bhagat S/O Mahendra Bhagat R/O- Village- Madanpur, P.S.-
Parsauni, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sitamarhi P.S. Case No. 683 of 2021, lodged on 25.08.2021
under Sections 302, 307, 120(B), 379, 34 of the Indian Penal
Code read with section 27 Arms Act.

3. As per the prosecution case, FIR has been lodged
against four named accused persons other than the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case during investigation only by virtue of confessional
statement of the co-accused to whom this Court has granted bail
annexed as Annexure-P/2.



5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are two criminal cases pending against him in which he is on bail. The petitioner is in custody since 15.09.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the though the petitioner is not named in the FIR, but his name has been figured in this case during the investigation.

7. Upon specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has not been framed in this case.

8. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 683 of 2021.

(Dr. Anshuman, J.)

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