

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1677 of 2024

Arising Out of PS. Case No.-97 Year-2021 Thana- ISUAPUR District- Saran

1. Rekha Devi Wife Of Umesh Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
2. Umesh Bhagat Son Of Bhrigunath Chaurasiya @ Anandi Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
3. Shailesh Bhagat Son Of Bhrigunath Chaurasiya @ Anandi Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
4. Brigunath Chaurasiya Son Of Late Ram Sewak Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
5. Mukesh Chaurasiya @ Mukesh Kumar Chaurasiya Son Of Brigunath Chaurasiya @ Anandi Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
6. Parmeshwar Bhagat Son Of Late Paran Bhagat R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran
7. Yugesh Chaurasiya @ Jugesh Chaurasiya Son Of Laxman Chaurasiya R/O Village- Achitpur, P.S.- Isuapur, Dist.- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Avnish Kumar Singh, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, all these petitioners assaulted the informant and his family members. It is further alleged that on the dictates



of Umesh Bhagat (Petitioner No. 2), Rekha Devi (Petitioner No. 1) dragged Suganti Devi (sister-in-law of the informant) outside the house and all the accused persons assaulted her, due to which she died.

4. It is submitted by learned counsel appearing on behalf of the petitioners that informant is brother-in-law (dewar) of Sugati Devi and she died due to heart failure. Thereafter, she was cremated and after delay of 18 days, this false and fabricated case has been lodged, without any explanation for the same. Allegation of assault is vague and omnibus. It is further submitted that the present case has been lodged by the informant to pressurize the petitioners to compromise Isuapur P.S. Case No. 15 of 2021, which was lodged by Umesh Bhagat (Petitioner No. 2) against the informant and others in which daughter of the petitioner is still traceless. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, case and counter-case, delay in lodging of the F.I.R. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran, Chapra, in connection with Isuapur P.S. Case No.97 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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