

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18856 of 2025

Arising Out of PS. Case No.-155 Year-2020 Thana- MAHINDWARA District- Sitamarhi

Rajesh Bhagat @ Rajesh Kumar Son of Lalbabu Bhagat Resident of Village-
Olipur, P.S.- Mahindwara, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2025 Heard Mr. Ashok Kumar Jha, learned counsel for
the petitioner and Mr. Ram Bilash Roy Raman, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.08.2024 in connection with Mahindwara P.S. Case No. 155
of 2020, STR No. 621 of 2024, F.I.R. dated 19.12.2020 for the
offences punishable under Sections 341, 323, 324, 307, 504,
379/34 of the Indian Penal Code and later on Section 302 of the
Indian Penal Code was added.

3. Earlier the bail application of the petitioner was
rejected vide order dated 13.12.2024 passed in Cr. Misc. No.
75756 of 2024 by a Co-ordinate Bench of this Court and while
rejecting the same, the petitioner has been given liberty that he
may renew his prayer for bail after framing of charge.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. A supplementary affidavit has been filed on behalf of the petitioner stating therein that the charge has been framed against him on 06.01.2025. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Jaykishor Sah has been granted bail by this Court vide order dated 05.05.2022 passed in Cr. Misc. No. 57927 of 2021. The petitioner is in custody since 16.08.2024.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, charge has been framed against him and other similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-II, Sitamarhi in connection with Mahindwara P.S. Case No. 155 of 2020, STR No. 621 of 2024, subject to the following



conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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