

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34854 of 2025

Arising Out of PS. Case No.-86 Year-2013 Thana- KUDHNI District- Muzaffarpur

Sudhir Bhagat @ Sudheer Bhagat @ Sudhir Kumar Bhagat, S/o Ramdeo Bhagat @ Ram Dev Bhagat R/o Mahabbatpur, P.S. - Deoria, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kudhani P.S. Case No. 86 of 2013 dated 17.4.2013 registered for the offences punishable under Sections 147, 148, 149, 379, 427, 342 of the Indian Penal Code, Sections 3/4 of Explosive Substance Act and Section 17 of CLA Act.

3. As per allegation, about 15-20 unknown persons came to brick-kiln of the informant and they exploded it causing damage to the brick-kiln.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that there is no cogent material on record which may connect the petitioner with the alleged offence except the so-called confessional statement before the Police which has no evidentiary value. He also submits that the petitioner has been implicated in this case only on the basis of suspicion because he has some criminal antecedents which are also false implications of the petitioner. He also submits that the charge sheet has been submitted and there is no cogent material in support of the prosecution case.

5. He further submits that the petitioner has been languishing in jail since 19.06.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in thirteen other cases and only in one he is on bail.

7. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and



circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below concerned in connection with Kudhani P.S. Case No. 86 of 2013 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail



bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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