

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66392 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- MAHUA District- Vaishali

1. Surendra Bhagat S/O Late Saukhin Bhagat R/O Village- Gauspur, Chak Majahid, P.S- Mahua, Distt.- Vaishali.
2. Ravi Prakash Bhagat S/O Surendra Bhagat R/O Village- Gauspur, Chak Majahid, P.S- Mahua, Distt.- Vaishali.
3. Shyam Prakash Bhagat S/O Surendra Bhagat R/O Village- Gauspur, Chak Majahid, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-01-2025 Learned counsel for the petitioners submits that the petitioner no. 2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 2.

2. Permission is granted.

3. Accordingly, this application with regard to petitioner no. 2. is dismissed as withdrawn.

4. Heard learned counsel for the petitioner nos. 1 and 3 and learned A.P.P. for the State.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 504, 436, 427, 506 of the Indian Penal Code.



6. Allegedly, all the FIR named accused persons including the petitioners are said to have abused and assaulted the informant brutally. It is further alleged that on instigation petitioner no. 1, petitioner nos. 2 and 3 set the house of informant on fire.

7. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. He submits that occurrence took place on 02.05.2024 but the FIR has been lodged on 08.05.2024 after delay of 6 days without explaining any reasonable cause of delay. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. Petitioners were members of the unlawful assembly only and except this there is nothing against them. Learned counsel further submits that petitioners have criminal antecedent as mentioned in para-3 of this application.

8. Learned APP for the State opposes the prayer for bail.

9. Having regard to the facts and circumstances of the case, let the above named petitioner nos. 1 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Mahua P.S. Case No. 320 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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