

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67199 of 2025

Arising Out of PS. Case No.-525 Year-2024 Thana- AHİYAPUR District- Muzaffarpur

1. Baiju Bhagat S/O Jagdish Bhagat R/O Village - Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur
2. Chandan Kumar @ Chandan Prasad S/O Shankar Bhagat R/O Village - Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur
3. Shivam Kumar S/O Baiju Bhagat R/O Village - Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners as well as learned counsel for the informant and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Ahiyapur P.S. Case No. 525/2024 dated 18.04.2024 registered for the offence punishable u/ss 147, 148, 149, 324, 326, 307 and 302 of the Indian Penal Code.

3. As per the prosecution case, on 17-04-2024, when the informant was at his home, one Baiju Bhagat and Shankar Bhagat installed Thressor Machine in front of the informant house. On being objected by the informant, both the persons started



threatening the informant but with the intervention of the local person the matter was pacified and further on 18-04-2024, the petitioners and the co-accused persons armed with lathi and sword came to the house of the informant and started abusing and assaulting the informant, in the meantime, the co-accused Santosh Kumar assaulted Sashi Krishan with a sword on the neck but somehow he escaped and sustained injury on his shoulder. It is further alleged that the other accused persons also assaulted him. When the brother of the informant and Sanju Devi came to rescue, they were also assaulted by the accused persons. Further, when the son of the informant was lying severely injured on road, the co-accused Suraj Kumar crushed him with tractor (chariot). Thereafter, the informant's son was taken to hospital where he was declared dead and others were treated at S.K.M.C.H., Muzaffarpur.

4. Learned counsel for the petitioner has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. There is general and omnibus allegation against the petitioners. The petitioners are members of the mob. There is no specific allegation against the petitioners rather the specific allegation is against the co-accused, Santosh Kumar and Suraj Kumar. The co-accused person has already been granted regular bail by this court vide order dated 10.07.2025



passed in Cr. Misc. No. 28309/2025. The petitioners have no criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 14.05.2025.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioners. As per the post-mortem report, the cause of death is due to haemorrhage and shock caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Ahiyapur P.S. Case No. 525/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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