

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83201 of 2024

Arising Out of PS. Case No.-418 Year-2021 Thana- MADHUBAN District- East Champaran

1. Janak Bhagat @ Janak Prasad, male aged about 47 years S/o Devsaran Bhagat
2. Bilash Bhagat @ Vilash Bhagat, male, Aged about 37 years S/o Devasaran Bhagat
3. Poonam Devi, Female, aged about 42 years, W/o Bilash Bhagat @ Vilash Bhagat
4. Deo Sharan Bhagat @ Devsaran Bhagat, male aged about 75 years S/o Dulma Barapakad, P.S- Madhuban, Dist- East Champaran,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 10-07-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under sections 302/34 of the Indian Penal Code.

3. The allegation in the FIR is that all the FIR named accused persons have committed murder of the husband of the informant as they wanted to grab the land and while they were going to cause disappearance of the dead-body, the informant came along with other villagers and with the help of the police, the dead body was brought for post mortem.

4. Learned counsel for the petitioners submits that the



informant ,who is claiming herself to be wife of the deceased, had deserted her husband and was staying separately. It was actually the petitioners, who were taking care of the informant since long and as a matter of fact, the deceased died a natural death on account of prolonged illness. This fact has been supported by materials collected during the course of investigation in the form of statements of independent witnesses recorded in paragraphs 6,7,82,83 etc, wherein the witnesses have specifically stated that the deceased was suffering from cancer and the informant has falsely implicated the petitioners in the present case. The post mortem report of the deceased also reveals that there is no external mark of any injury. The informant had also filed a case under section 498A of the IPC against her husband (deceased) and the petitioners which had resulted in an acquittal.

5. The learned APP however opposes the grant of anticipatory bail to the petitioners.

6. Considering all the above mentioned facts and circumstances, let the above named petitioners, in the event of their arrest/ surrender within a period of four weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each



to the satisfaction of the learned court below where the case is pending/ successor court in Madhuban P.S.Case No.418 of 2021 , subject to condition as laid down under section 438(2) of the Cr.PC.

(Soni Shrivastava, J)

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