

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4017 of 2025

Arising Out of PS. Case No.-334 Year-2025 Thana- PAROO District- Muzaffarpur

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1. Prince Kumar S/O Ashok Bhagat R/O Village- Koiriya Nizamat, P.S- Paru, Distt.- Muzaffarpur (Bihar).
 2. Ravi Shankar Bhagat S/O Shambhu Bhagat R/O Village- Koiriya Nizamat, P.S- Paru, Distt.- Muzaffarpur (Bihar).

... .. appellants/s

Versus

1. The State of Bihar
2. Dilip Kumar S/O Birendra Bhagat R/O Village- Koiriya Nizamat, P.S- Paru, Distt.- Muzaffarpur (Bihar).

... .. Respondent/s

Appearance :

For the appellants/s	:	Mr. Arun Kumar, Advocate Ms. Gunjan Kumari, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For Respondent No. 2	:	Mr. Upendra Kumar Chaubey, Advocate Mr. Awadhesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-01-2026 Heard learned counsel for the appellants, respondent
no. 2 and the State.

2. This appeal has been filed against the order dated 29.08.2025 passed by learned Special Judge, SC/ST(POA) Act, Muzaffarpur in connection with Paru P.S. Case No. 334 of 2025 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 103(1), 352, 351(2), 351(3) of Bharatiya Nyaya Sanhita, Section 27 of the Arms Act and Section 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for regular bail of appellants has been



rejected.

3. As per the prosecution case, while informant was at his medicine shop, his brother Jitendra Kumar Bhagat came to call him for dinner. He alleges that these appellants along with other persons armed with weapons came to his medicine shop and co-accused Arvind Bhagat abused and fired upon his brother due to which he died and Shambhu Bhagat also fired upon Jai Prakash Bhagat. He further alleged that Ashok Bhagat fired at informant with an intention to kill. Mahesh Ram who is Panch of Gram Panchayat was also attacked and abused by taking caste name.

4. Learned counsel for the appellants submits that due to land-boundary dispute between the parties, maar-peet took place in which both sides sustained injuries. Case and counter case. Specific accusation is against co-accused Shambhu Bhagat and Ashok Bhagat. So far these appellants are concerned, there is no allegation of any overt act against them. Appellants are in custody since 24.06.2025. Charge-sheet has already been submitted.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.



6. Considering the nature of accusation and period of custody, this Court sets aside the impugned order and directs the release of above named appellants on bail on furnishing bail-bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST(POA) Act, Muzaffarpur in connection with Paru P.S. Case No. 334 of 2025.

(Prabhat Kumar Singh, J)

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