

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30259 of 2018

Arising Out of PS.Case No. -10 Year- 2011 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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Binod Baitha, Son of Vishwanath Baitha, Resident of Village- Matiaon,
P.S.- Chutiya, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chutiya P.S. Case No.10 of 2011 registered for the offences
punishable under Sections 147, 148, 149, 379, 436, 427, 120B of
the Indian Penal Code and Sections 27 of the Arms Act, 3/4 of
Explosive Substance Act and 17 of C.L.A. Act.

As per written report, the informant has alleged that in
the night of 21.07.2011 at about 10.30 P.M., the members of gang
of Munna Vishwakarma (150-160 in numbers) arrived at the
house of the informant and damaged his tractor and distributed
his household articles and ornaments worth Rs.5,00,000/- among
the nearby villagers. They also set ablaze his home by pouring



kerosene oil.

It has been submitted that the petitioner is neither named in the F.I.R. nor there is specific allegation against him. Most of the accuseds having similar allegation have been allowed bail by several benches of this court. The case of the petitioner stands on similar footing. He is in custody since 17.01.2018 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of Smt. Shakchhi Mishra, Judicial Magistrate 1st Class, Rohtas at Sasaram in connection with Chutiya P.S. Case No.10 of 2011, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of



failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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