

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26761 of 2019**

Arising Out of PS. Case No.-233 Year-2018 Thana- MIRGANJ District- Gopalganj

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Raj Kumar Baitha Son of Ramashray Baitha, Resident of Village- Badarjimi,  
Police Station- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4      12-06-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 147/148/149/307/504/324/325 of the Indian Penal Code and Section 27 of the Arms Act in connection with Mirganj P.S. Case No. 233 of 2018.

According to FIR, co-accused Santosh Baitha caused fire-arm injury at the abdomen of Saral Mallah. The petitioner gave multiple dagger blow to Ganesh Sahani. The doctor has found five stab wounds. Some of them on vital part of the body of Ganesh Sahani. The petitioner is in custody since 05.02.2019.

Submission is that land dispute is the reason behind the false implication. There is case and counter case. Other witnesses including injured Ganesh Sahani has not made specific allegation



against the petitioner; rather the allegation is general and omnibus. No blood was found by the Investigating Officer at the place of occurrence.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail for the present. Hence, the prayer for bail is refused. However, the petitioner may renew the prayer for bail if the trial is not concluded within six months.

**(Birendra Kumar, J)**

Mkr./-

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