

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66483 of 2018

Arising Out of PS. Case No.-35 Year-2014 Thana- KARJA District- Muzaffarpur

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Ram Pravesh Baitha Son of Late Yadunandan Baitha, Resident of Village-
Kauriya, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Md. Sufiyan (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 21-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Karja P.S. Case No. 35 of 2014 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
427, 435, 385, 387 of the Indian Penal Code and Section 17 of
the C.L.A. Act.

Informant who is owner of a Brick Cline has
alleged that on 10.02.2014 in the night while his munshi and
one labour were sleeping in his firm in the meantime, about 30-
45 miscreants came there and threatened them due to non-
payment of demand of levy by the owner of the firm and
assaulted with fists and slaps and left the place raising slogan
“Maowadi Zindabad”.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case due to suspicion. Petitioner is not named in the F.I.R. and his name has transpired on the basis of confessional statement of co-accused. No incriminating material has been recovered from the possession of the petitioner. Petitioner has not been put on T.I.P. Petitioner is in custody since 13.08.2014.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II (West) Muzaffarpur, in connection with Karja P.S. Case No. 35 of 2014, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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