

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65968 of 2019

Arising Out of PS. Case No.-292 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Jitendra Baitha, Son of Bijli Baitha Resident of Village- Basmanpur (Bhawanipur) Motihari, P.S.- Muffasil, District- East Champaran.
 2. Dewan Baitha Son of Bijli Baitha Resident of Village- Basmanpur (Bhawanipur) Motihari, P.S.- Muffasil, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Muffasil P.S. Case no. 292 of 2019, registered under Section 302/34 of the Indian Penal Code.

The accusation is that in the evening of 01.07.2019, Ramayan Prasad, father of the informant, was murdered near the field of Rajendra Baitha in Basman Bhawanipur Agarwa road. At that time, informant was present at his home. On hearing the sound of hulla, informant reached there and saw the dead body of his father. On 09.03.2019 the father of the informant was severely assaulted regarding which



Muffasil P.S. Case No. 139 of 2019 was instituted on 02.04.2019, but on the pressure of the villagers and Panches, he filed compromise petition & after three months of the compromise, his father has been killed. The informant raised suspicion against the petitioners and Raghubansh Baitha having hand in the murder of his father.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that informant is not the eye-witness of the occurrence, rather, due to earlier dispute, petitioners and Raghubansh Baitha have falsely been implicated in this case as the petitioners were made accused in Muffasil P.S. Case No. 139 of 2019, which was instituted regarding causing assault to the deceased, father of the informant.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in connection with Muffasil P.S. Case No. 292 of 2019, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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