

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65857 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- CHOUTARWA District- West
Champaran

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MAGISTER BAITHA @ MAISER BAITHA Son of Vishwanath Baitha
Resident of Village- Hardi Nadwa, Police Station- Chautarwa, District- West
Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chautarwa P.S. Case No.104 of 2019 registered under
Sections 323, 324, 307, 341, 504 and 506/34 of the Indian Penal
Code.

The accusation is that a land dispute was going on in
between Magister Baitha (petitioner), the younger brother of the
informant, with his neighbour Chandi Chaudhary, who had
given the name of the informant as a witness and the informant
had given the evidence in his favour, due to that reason,
Magister Baitha (petitioner), in the evening of 29.03.2019, on



seeing the informant, started to abuse him. When the informant made protest, then the petitioner called his father and mother and when they reached there, all surrounded the informant and started to cause assault him through lathi and danda. At that time, this petitioner caused injury through knife at the back of the informant. In the occurrence, the son and daughter of the informant were also assaulted and sustained injuries.

Learned counsel for the petitioner submits that, in fact, the informant and the petitioner are full brother and due to land dispute, the occurrence of “Maar-Peet” took place between the parties. Moreover, the injuries, as found on the person of the informant and other injured, are simple in nature. Further submission is that the co-accused Vishwanath Baitha and two others have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 01.08.2019 passed in Criminal Misc. No.47961 of 2019.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate-I, Bagaha, West Champaran (Bettiah), in connection
with Chautarwa P.S. Case No.104 of 2019, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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