

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22795 of 2020

Arising Out of PS. Case No.-337 Year-2019 Thana- RIGA District- Sitamarhi

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YASIN BAITHA @ ASHIN BAITHA Son of Jamir Baitha Resident of
Village - Kusumpur Bakhari, P.S.- Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.A.G.

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The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-09-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 341, 323,
307, 302/34 of the Indian Penal Code.

Informant has alleged that after harvesting the crop
she along with other family members came to her house, she
saw FIR named accused were making construction on her land
and on protest they came and it is alleged that accused Kudrat
Baitha caught her husband and Firoz Baitha assaulted by lathi as
a result of which her son Gulam Rasul fell down and
subsequently died during treatment in hospital.

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. There is land dispute between the parties. Petitioner is an old man aged about 70 years and suffering from several ailment. No specific allegation against the petitioner has been made rather specific allegation of assault is against co-accused Kudrat and Firoz Baitha. Petitioner is in custody since 10.12.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Riga P.S. Case No. 337 of 2019, 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 represented on each and every date fixed by the court.
- (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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