

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24272 of 2021

Arising Out of PS. Case No.-142 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Dasrath Baitha Son Of Late Baldev Baitha Resident of Village - Dhapar, P.s.-
Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 325, 307, 379, 337, 338, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused assaulted his father by means of iron rod on his head upon which his father sustained injury and fell down. It is also alleged that he also looted away Rs. 46,000/-.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties. He submits that no incriminating article has been recovered from the possession of the petitioner. There is no specific allegation against the petitioner and allegation against the petitioner is general and omnibus. He further submits that petitioner bears two criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 11.04.2019.

Considering the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Runnisaipur P.S. Case No. 142 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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