

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36418 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- KANGLI District- West Champaran

Hiraman Baitha S/o Sharma Baitha Resident of Village - Gad Gamahriya, P.S.
- Kangali, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. T. Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 16-03-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner hereby undertakes to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 09.05.2020 in connection with Kangali P.S. Case No. 28 of 2020 for the alleged offences under Section 147, 148, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged assault upon Sanjay Baitha by the petitioner with 'farsa' on the head in the backdrop of a dispute relating to road between the parties, who are agnates and there is case and counter case between them. The petitioner claims clean antecedents.

4. Learned APP has obtained a copy of the case diary in order to assist this Court, which on request is placed on record. A perusal of paragraphs 52 and 53 of the case diary containing



injury report of Sanjay Baitha discloses that the injuries are simple in nature.

5. Be that as it may and having regard to the period of custody already suffered since 09.05.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Kangali P.S. Case No. 28 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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