

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14349 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- RAXAUL District- East Champaran

Kanhaiya Baitha, Son Of Ravindra Baitha Resident Of Village - Siswa, P.S.-
Raxual, Distt.- E. Champarana

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 326 and 307/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 02.10.2021 when his son went out of the house to attend nature's call when six accused persons including the petitioner surrounded and assaulted him. It is further alleged that Chanda Devi assaulted repeatedly with *Garasi* on his head causing injury and he fell down. The other family members intervened to save him, all the accused persons assaulted them also. It is next alleged that the occurrence took place on account of rejection of proposal of marriage of Chanda Devi's uncle's daughter to the informant's son.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that Chanda Devi is wife of the petitioner, who had assaulted the brother of the petitioner on account of the fact that marriage of her uncle's daughter could not materialize with the brother of the petitioner. It is also submitted that the informant is father of the petitioner and the present case came to be instituted as one of his son was assaulted by Chanda Devi. It is next submitted that there is no specific allegation of assault against the petitioner.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Raxaul P. S. Case No.398 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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