

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51577 of 2021

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

Bijali Baitha @ Bijuli Baitha S/O Lalyogi Baitha R/O Village-Gad Gamharia,
P.S-Kangali, District-West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra- Advocate
For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Sessions
Trial No.23 of 2021 arising out of Kangali P. S. Case No.28 of
2020, instituted for the offences under Sections 147, 148, 341,
323, 324, 307, 379, 504, 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 08.06.2020, he is a person with
clean antecedent and charges have been framed.

The learned counsel for the petitioner submits that
earlier the bail of this petitioner was rejected by order dated
27.01.2021 in Cr. Misc. No.33023 of 2020 on the ground that
the petitioner was alleged to have inflicted farsa blow to
Shambhu Baitha resulting in injury with an observation that the



bail was rejected for the present.

The learned counsel for the petitioner submits that one of the co-accused Hiranman Baitha was subsequently granted bail by order dated 16.03.2021 in Cr. Misc. No.36418 of 2020, who was alleged to have assaulted Sanjay Baitha with farsa on the head. The learned counsel further submits that there are altogether eight prosecution witnesses, but the trial is still pending and not a single witness till date has been examined.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody and earlier his bail application was rejected observing that same was being rejected for the present and the fact that not a single witness has been examined despite charges being framed, the petitioner, above-named, 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 learned 9th Additional District & Sessions Judge, Bettiah, West Champaran in connection with Sessions Trial No.23 of 2021 arising out of Kangali P. S. Case No.28 of 2020 with a condition that in the event, if the petitioner on two consecutive dates does not appear in the trial, the learned Court



below shall be at liberty to cancel his bail bonds forthwith.

The application stands allowed.

(Satyavrat Verma, J)

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