

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59343 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- BALTHAR District- West Champaran

Ranjeet Baitha S/O Bagad Baitha R/O Village-Aryanagar, P.S-Balthar,
District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-04-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Balthar P.S.Case No. 52 of 2021 for the offences
punishable under Sections 147, 148, 149, 341, 323, 302/504 of
the Indian Penal Code.

As per the prosecution case, it is alleged that on
10.05.2021 22 named accused persons including this petitioner
all armed with deadly weapons started abusing the informant
which was protested by him, whereupon the co-accused Mintu
Baitha gave iron rod blow over the head of the informant's
brother, who died in course of treatment.



It is submitted on behalf of the petitioner that there is general and omnibus allegation against the F.I.R named accused persons .it is further submitted that there is specific allegation against Mintu Baitha, who gave iron rod blow over the head of the informant's brother which resultant into his death during the course of his treatment. It is further submitted that there is a counter version of the present occurrence ie Balthar P.S.Case No. 51 of 2021 registered under section 307 and other allied sections of the IPC along with SC/ST (Prevention of Atrocities) Act lodged by the petitioner. It is next submitted that this petitioner has absolutely clean antecedent and is in custody since 11.05.2021. Investigation has already concluded.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that according to the post mortem report, several injuries have been sustained by the deceased. From perusal of the same, it appears that there are two injuries inflicted on the body of the deceased.

Having heard the rival contentions of the parties and taking into consideration the fact that, there is general and omnibus allegation against the petitioner and the specific allegation of assault leading to death has attributed to Mintu Baitha. Apart from this petitioner having clean antecedent and is



in custody since 11.05.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bettiah, West Champaran in connection with Balthar P.S. Case No. 52 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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