

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31040 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- JALE District- Darbhanga

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1. INDAR BAITHA @ INDRA KUMAR BAITHA Son of Girat Baitha
Resident of village - Khesar, P.S. - Jalley, Distt. - Darbhanga
 2. Ram Kishun Baitha @ Butani Baitha Son of Late Jogindra Baitha @
Yadunandan Baitha Resident of village - Khesar, P.S. - Jalley, Distt. -
Darbhanga

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 448, 341, 323, 427, 308, 504 & 506 of the Indian Penal Code.

3. The allegation against the petitioners is that they duly armed with lathi, danda and rod came at the premises of the company and are said to have assaulted the guard of the company with danda and rod. They also brick batted upon them and ransacked the JCV machine and Scorpio of the company.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to previous enmity. It is further submitted that the informant is the



Project Managr of M/s Adani Agree Logistics Limited got the sale deed executed in his favour without consideration money and agreement was prepared between the company and landlord and without making full and final payment of consideration money they started construction work. It is further submitted that the case is counter blast to Jalley P.S. Case No.137 of 2022. The injury sustained by the victim is simple in nature. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that the injury sustained by the victim is simple in nature and the dispute *inter se* is a civil dispute, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jalley P.S. Case No.135 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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