

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34221 of 2023**

Arising Out of PS. Case No.-130 Year-2022 Thana- SINDHIYA District- Samastipur

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AMIT KUMAR BAITHA @ AMIT BAITHA S/O MUNNA BAITHA R/O
Village- Singhiya, P.S- Singhiya, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 27-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 324, 292, 379 of the Indian Penal Code.

3. This petitioner is alleged to have sent vulgar messages to the wife of the informant and also did vulgar talk with her.

4. It is submitted that petitioner has falsely been implicated in this case due to land dispute between the parties. Petitioner never talked with the wife of the informant nor did he sent any vulgar message to her. As a matter of fact, petitioner was admitted in the DMCH Hospital on 15.06.2022 and got discharged on 18.06.2022 and thus, he was not present on the place of occurrence on the alleged date (photo copy of discharge



summary of DMCH annexed as Annexure '4'). Case and counter case. There is no allegation of assault against the petitioner and he has got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Rosera, Samastipur in connection with Singhiya P. S. Case No. 130 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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