

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34135 of 2023

Arising Out of PS. Case No.-757 Year-2022 Thana- SIKARPUR District- West Champaran

1. Nanhe Baitha @ Alphram Baitha @ Asfarah Baitha S/O Yunush Baitha @ Inus Baitha R/O Village-Chengauna, Ward No. 07, P.S.-Shikarpur, District-West Champaran
 2. Tabarak Baitha @ Tabarakh Baitha S/O Yunush Baitha @ Inus Baitha R/O Village-Chengauna, Ward No. 07, P.S.-Shikarpur, 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. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 448, 307, 354(B), 379, 504 and 34 of the Indian Penal Code.

As per prosecution case, when son of the informant was at his door in the meantime, all FIR named accused persons including this petitioner came there in drunken condition and started abusing him and his family members. When his son protested then this petitioner no.1 gave iron blow over head of informant's son due to which he sustained injury. The informant also sustained injury in the alleged incident.

Learned counsel for the petitioners submits that the



petitioners are innocent and has committed no offence. They have falsely been implicated in this case on account of prior dispute between the parties. The alleged occurrence took place on 17.9.2022 but the FIR has been lodged in delay of two days on 19.9.2022 without any explanation. It is further submitted that other co-accused Shikandar Baitha has already been granted bail by this court vide order dated 6.4.2023 passed in Cr. Misc. No. 74634 of 2022. The petitioners have got no criminal antecedent and languishing in judicial custody since 23.3.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Shikarpur P.S. Case No. 757 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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