

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46198 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- RAMGARHWA District- East
Champaran

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1. Chuman Baitha Son Of Late Yadunandan Baitha Resident Of Village-
Murla, Ps- Ramgarhwa, Dist- East Champaran
 2. Ajit Baitha Son Of Late Naresh Baitha Resident Of Village- Murla, Ps-
Ramgarhwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46618 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- RAMGARHWA District- East
Champaran

Shyama Baitha Son Of Late Devnandan Baitha, Resident Of Village - Murla,
P.S.- Ramgarhwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 46198 of 2022)

For the Petitioner/s : Mr.Rohan Verma

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

(In CRIMINAL MISCELLANEOUS No. 46618 of 2022)

For the Petitioner/s : Mr.Rohan Verma

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2023 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for

the State.

The petitioners have filed the instant application



for grant of regular bail in a case registered for the offences punishable under Sections 341, 342, 323, 324, 504, 307, 379/34 of the Indian Penal Code.

The prosecution case in nutshell is that on the northern side of the informant's house petitioner Chuman Baitha has his land which has fallen in NH 21 main road for which he has already received compensation from PWD but inspite of that he forcibly tie rope in front of the house of the informant. When the informant made protest, then petitioner Chuman Baitha abused him and assaulted the informant's son by means of Farsa, due to which he sustained injuries over his left hand. It is also alleged that petitioner Ajit Baitha attempted to assault the son of informant from behind due to which he sustained injuries over his right hand and when informant came to his rescue then petitioner Shyama Baitha attempted to assault the informant with farsa inflicting cut injury over his right hand. It is further alleged that petitioner Chuman Baitha snatched golden



chain from informant's neck and Rs. 15,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that petitioners in Cr. Misc No. 46198 of 2022, namely, Chuman Baitha and Ajit Baitha are languishing in judicial custody since 09.05.2022 and petitioner in Cr. Misc No. 46618 of 2022, namely, Shyama Baitha is languishing in judicial custody since 29.03.2022. It is further submitted that there is land dispute between the parties. There is case and counter case between the parties and both parties have sustained injuries as alleged in separate occurrence. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State and learned counsel appearing for the informant have



vehemently opposed the prayer for Bail and submitted that injuries sustained by the injured persons are grievous in nature

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Ramgarhwa P.S. Case No.267 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul, Motihari.

(Sunil Kumar Panwar, J)

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