

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53977 of 2022

Arising Out of PS. Case No.-488 Year-2019 Thana- PHULPARAS District- Madhubani

RAUSHAN BAITHA Son of Vinod Baitha Resident of Village - Harichanda,
P.S. - Bishanpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences
punishable under Section 392 of the Indian Penal Code.

The informant alleges that while he was in his shop
on 20.11.2020 when one unknown person came to his shop on
the pretext of purchasing a tape and when he was giving the tape
to the said person when two unknown accused also entered the
shop and assaulted the informant and also took money from his
pocket.

Learned counsel for the petitioner submits that the
petitioner is in custody since 8.04.2022 and has antecedent of
three cases. Learned counsel for the petitioner next submits that
the petitioner has been falsely implicated in the present case, it



is next submitted that the petitioner is not named in the FIR and his name transpired during the course of investigation.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has antecedent of three cases and there is no pleading in the present bail application that as to on what basis his name transpired during the course of investigation.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail.

However, the petitioner would be at liberty to renew his prayer for bail after framing of charges.

(Satyavrat Verma, J)

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