

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55331 of 2023

Arising Out of PS. Case No.-22 Year-2022 Thana- SUGAULI RAIL P.S. District- West
Champaran

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Sintu Baitha @ Sittu Baitha Son Of Bir Bahadur Baitha Son Of Bir Bahadur
Baitha Resident Of Village Banwariya Ward No 9 P.S Sikandarpur District
West Champaran Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Roy, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-08-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Sessions Trial No. 554
of 2022 arising out of Rail Sugauli P.S. Case No. 22 of 2022
dated 26.04.2022 registered for the offences punishable u/ss
341, 323, 307, 504 and 506 of the Indian Penal Code.

4. As per the prosecution case, unknown miscreants
are alleged to have dashed the informant, Rahul Raj from



running train with intention to kill due to that he got injured after falling and became unconscious.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has transpired on mere suspicion. Learned counsel has further submitted that the informant was standing at the gate of the train and fell down due to his own mistake. The injury report is not mentioned in the impugned order. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah in connection with Sessions Trial No. 554 of 2022 arising out of Rail Sugauli P.S. Case No. 22 of 2022, with the following condition/s:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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