

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69442 of 2023

Arising Out of PS. Case No.-542 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

1. Chhathu Baitha Son of Khakhan Baitha, R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
2. Dinesh Baitha Son of Khakhan Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
3. Suman Baitha Son of Chhathu Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
4. Binod Baitha Son of Ganesh Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
5. Shiv Baitha @ Shivji Baitha Son of Ganesh Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
6. Sanjay Baitha Son of Dinesh Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.
7. Ajay Baitha Son of Dinesh Baitha R/o Village- Dharampur Ram, P.S.- Sahebganj, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sahebganj P.S. Case No. 542 of 2021 dated 06.12.2021, instituted under Sections 341, 323, 504, 506, 307 and 34 of the Indian Penal Code.

3. As per prosecution case, the petitioners armed with



Lathi, Danda, Garasa, Farsa came at the field of the informant and assaulted him. It is alleged that petitioner no.1 assaulted on the head of Anju Devi and other petitioners were also involved in assaulting the prosecution side causing injuries to them.

4. Learned counsel for the petitioners submits that there is case and counter case between the parties due to land dispute between the parties. He further submits that petitioners have been falsely implicated in this case due to past enmity. He also submits that except against petitioner no.1 there is no specific allegation against the other petitioners and the injury is simple in nature. Learned counsel submits that criminal antecedent of petitioners is clean.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M. 1st (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 542 of 2021, subject to the conditions



laid down in Section 438(2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J.)

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