

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71942 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- BAIRIYA District- West Champaran

Subhash Baitha @ Subhash Kumar Son Of Lakshmi Baitha R/O Bairiya,
Ghusukpur, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code later on Section 302 of Indian Penal Code was also added which is pending in the learned court below.

As per the FIR, all the accused persons is said to have assaulted the deceased by means of deadly weapons due to which during investigation the deceased died.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that



after investigation the police has filed final form against the petitioner but the learned Court below differed the final form and taken cognizance against the petitioner. He further submits that petitioner has got five criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State along with learned counsel for the informant opposes for prayer for bail and submits that the petitioner is also involved in the present case.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bairiya P.S. Case No.55 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

