

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46955 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- KHARIK District- Bhagalpur

Saddam Baitha S/O Sullo Baitha R/O Village/P.O- Tulsipur, P.S- Kharik,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Lalit
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-01-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 302, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with other co-accused persons assaulted the informant and his son due to which they sustained injuries. It is further alleged that his son was taken to hospital and during treatment, he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous



dispute. It is further submitted that during investigation, independent witnesses have stated that the son of the informant sustained injury during the course of occurrence, while he was trying to stick to the informant/her mother which is mentioned in paras 42, 43 and 44 of the case diary. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 03.10.2023 in Cr. Misc. No. 58934 of 2023. Moreover, the petitioner is languishing in judicial custody since 04.01.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kharik P.S. Case No. 292 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-



1st, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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