

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51387 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- PIPRA District- East Champaran

Sita Ram Baitha Son Of Dwarika Baitha Village- Sahsi Jagiraha, Ps- Pipra,
Dist- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Pipra P.S. Case No. 99 of 2024 registered for the alleged offence under Sections 341, 323, 324, 354(B), 379, 506/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons, by making an unlawful assembly, armed with *gadasa*, *lathi* and rod assaulted the informant, her mother-in-law and her brother-in-law. They also tried to forcibly put the night soil in the mouth of mother-in-law of the informant.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The present case is counter version of the case lodged by the son



of the petitioner vide Pipra P.S. Case No. 97 of 2024 registered under Sections 307, 379 and other allied sections of IPC including Sections 3(1)(घ), 3(1)(द), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989. The persons from the petitioner's side have received injuries and the same is unexplained. There is land dispute between the parties and Title Suit No. 106 of 2002 has been pending between the them. The injury of the informant and her brother-in-law are stated to be simple in nature. The petitioner his Headmaster in a higher secondary school and the present case has been lodged by the informant's side to exert pressure on the petitioner. The petitioner has been made accused in one more by the same informant, in which, the petitioner is on bail.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the earlier case of the petitioner and further considering the background of land dispute and case and counter case of the parties and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the



like amount each to the satisfaction of learned Sub. Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Pipra P.S. Case No. 99 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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