

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62234 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- BALTHAR District- West Champaran

Ripu Baitha S/o- Mangani Baitha Resident of Vill- Chhotka Dhankutwa, P.S.-
Balthar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, on 27.07.2023, the son of informant namely Karan Kumar, went to attend the call of nature, but did not return and on search, on the next date at about 7:30 AM, the dead-body of son of informant was found hanging on a Seisum tree. It is further alleged that informant's son was in love with Munni Kumari (daughter of co-accused Pramod Baitha) and thus, informant suspects that due to love affairs, all the FIR named accused persons, including this petitioner, killed the son of the informant.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence. Informant is not eye-witness to the occurrence and only suspicion has been raised on the ground that there was love-affairs between daughter of co-accused Pramod Baitha and the son of informant and due to this reason, all the family members of girl side have been made accused in this case. During the course of investigation, no one has claimed to have seen the occurrence nor any material has come against the petitioner to show his complicity in the occurrence. Similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 19.06.2024 passed in Cr. Misc. No. 30273 of 2024. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran, in connection with Balthar P.S. Case No. 68 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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