

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75883 of 2024**

Arising Out of PS. Case No.-290 Year-2023 Thana- AURAI District- Muzaffarpur

Devendra Baitha Son of Bilat Baitha R/O Vill.- Madhuban Besi, P.S.- Aurai,
Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 12-11-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Aurai P.S. Case No. 290 of 2023 dated 10.12.2023, lodged under Sections 147, 149, 341, 323, 325, 307, 379, 504, 506, 354A(1)(i) of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against nine named accused persons including the present petitioner. The specific allegation of assault over the informant and his family members is against other accused persons other than the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



also submits that from bare reading of the FIR, there is nothing specific against the present petitioner. Counsel submits that it is a dispute between two sahani families and the informant alleged the name of the petitioner in this case. Counsel further submits that there is general and omnibus allegation against all the accused persons including the petitioner. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail.

5. Learned Counsel for the petitioner further submits that there is case and counter case i.e. one case has been lodged from the informant's side bearing Aurai P.S. Case No. 290 of 2023 and one case has been lodged from other accused persons side bearing Aurai P.S. Case No. 291 of 2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in connection with Aurai P.S. Case No.



290 of 2023, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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