

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1661 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

VARUN BAITHA @ BARUN BETHA @ VARUN KUMAR, SON OF
RAVINDRA BAITHA, RESIDENT OF VILLAGE- SAMHUTI, P.S.-
TARIYANI, DISTRICT - SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Raj Narayan, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Tariyani Chowk P.S. Case no. 46 of 2023 (Sessions Trial no.98 of 2023) registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that a secret information was received about some altercation having taken place in the family of Ravindra Baitha and as a result of assault by his son Arjun Baitha and his wife Meena Devi, he sustained serious injuries and subsequently died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in course of investigation. The consistent case of the prosecution not only in the FIR but also in course of investigation has been that it was



as a result of assault by co-accused Arjun Baitha and Meena Devi that the death of Ravindra Baitha took place. It is only much later that one of the witness who admittedly is not an eye witness to the occurrence has made some allegations about this petitioner. The petitioner is in custody since 7.3.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR being mainly against Arjun Baitha and Meena Devi, the petitioner being in custody for more than 1 year since 7.3.2023, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Tariyani Chowk P.S. Case no. 46 of 2023 (Sessions Trial no.98 of 2023), on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Sheohar.

(Partha Sarthy, J)

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