

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63392 of 2025

Arising Out of PS. Case No.-114 Year-2021 Thana- TURKAULIYA District- East Champaran

Dinesh Baitha Son of Mosafir Baitha, Resident of village - Sapahi Sagvara
Tola, Ward No.- 8, P.S.- Raghunathpur, District - East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Turkauliya (Raghunathpur) P.S. Case No. 114 of 2021, dated 09.02.2021, registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that while the informant was cleaning his house, in the meantime, all the FIR named accused persons, variously armed, came there and started assaulting the informant and one Manoj Baitha gave farsa blow in the head of the informant. When the family members of informant tried to save him, they were also assaulted by the co-accused persons. Manoj Baitha snatched a chain worth Rs.



4,000/- from the informant.

4. Learned counsel for the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. There is no specific allegation attributed against the petitioner, rather the allegation seems to be general and omnibus in nature. It is further submitted that there is land dispute between the parties and the Investigating Officer of this case upon investigation has submitted the final form against the petitioner *vide* chargesheet no. 213 of 2021 dated 14.05.2021. The learned trial Court differing with the said report has taken cognizance against the petitioner for the offences under Sections 341, 323, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code on 21.05.2021. It is lastly submitted that petitioner claims clean antecedent and is a man of means and there is no chance of his absconding or tampering with the evidence.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that there is no direct or specific allegation attributed against this petitioner and also considering the clean antecedent of the petitioner, let the



petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with **Turkauliya (Raghunathpur) P.S. Case No. 114 of 2021**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S., as well as on the following conditions:

(i) one of the bailors should be the family member / relative of the petitioner(s), who shall provide official document to show his / her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the learned trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his / her / their bail bond by the learned trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for



cancellation of the bail bond;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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