

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29926 of 2026

Arising Out of PS. Case No.-285 Year-2022 Thana- MEHSI District- East Champaran

Mukesh Baitha @ Mukesh Kumar S/o Late Anat Baitha @ Anant Rajak
Resident of Village- Purani Mehshi, PS- Mehshi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mehshi P.S. Case No. 285 of 2022, F.I.R dated 01.10.2022 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, the informant alleged that on the night of the occurrence, accused Mukesh Baitha, in an intoxicated condition, abused the informant and her family. Thereafter, Mukesh Baitha, along with co-accused Santosh Baitha and his wife, allegedly assaulted the informant's husband with a sword, causing grievous injuries, and also assaulted the informant's children. It is further alleged that Mukesh Baitha snatched the informant's anklet worth ₹12,000



and ₹2,500 in cash from her husband's pocket. The injured was taken to the hospital and, due to the seriousness of his injuries, was referred to a higher medical centre.

4. Learned counsel for the petitioner submits that there is a case and counter-case and the nature of the injury which is said to have been sustained by Rajesh Baitha and Bansi Baitha by the petitioner which is said to have been simple in nature. It has next been submitted that the petitioner undertakes to provide financial assistance, for the injuries which is said to have been sustained by both of them, by paying an amount of Rs. 5,000/- each without accepting his guilt as they are close agnates and the petitioner proposes to put an end to the dispute. It is also submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application in respect of the petitioner.

6. Considering the aforesaid facts and the nature of injury being simple in nature and undertaking given by the petitioner for financial assistance being provided to the injured and the petitioner having clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of



his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with the aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

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

(ii) the petitioner(s) shall appear on each and every date before the 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 Trial Court itself;

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

(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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