

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88013 of 2025

Arising Out of PS. Case No.-15 Year-2006 Thana- JOGAPATTI District- West Champaran

Tulsi Baitha @ Akhileshwar Baitha S/O Achchhelal Baitha R/O Vill.-
Darwaliya, Mishrouli, P.S.- Yogapatti, Distt.- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Manoj Kumar Pandey, learned counsel for

the petitioner and Mr. Sunil Kumar Pandey, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
19.11.2025, in connection with Sessions Trial No. 579 of 2015
arising out of Yogapatti P.S. Case No. 15 of 2006, F.I.R. dated
09.01.2006 registered for the offences punishable under
Sections 147, 148, 149, 323, 324, 307, 447, 504 of the Indian
Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused person has assaulted the informant by
means of *Gadasi* due to which he sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that it appears from the F.I.R. that due to admitted land dispute the present occurrence had taken place and one Title Suit No. 241 of 1992 is pending between the parties for the same set of land. Although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner but there is specific allegation of assault attributed against co-accused person, namely, Rajesh Baitha and he is in custody since 19.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt act against the petition in the F.I.R., let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. V, West Champarna, Bettiah in connection with Sessions Trial No. 579



of 2015 arising out of Yogapatti P.S. Case No. 15 of 2006,
subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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