

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27203 of 2016

Arising Out of PS.Case No. -54 Year- 2010 Thana -KINJAR District- JEHANABAD

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Mithilesh Yadav @ Mithalesh Yadav, son of Devnandan Yadav resident of village Lodipur Bara P.S. Kinjer District Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Paras Nath, Advocate.

For the Opposite Party : Mr. R. B. Rai Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 08.04.2016 in connection with Kinjer P.S. Case No. 54 of 2010 for the offences instituted under Sections 147, 148, 149, 447, 307, 121, 121(A), 124(A) of the IPC., 27 of the Arms Act and 17 of C.L.A. Act.

The prosecution story, in brief, is that on 08.10.2010 at about 9.00 P.M., while the informant with his wife were visiting at his brother's house after looking his new built house and when he reached near the house of Ram Vinay Singh, he heard the sound of knocking his door then the informant came at his house and in the light of torch, the informant claimed to identify this petitioner

alongwith other co-accused persons and they have attacked upon the informant. It is further stated that while the informant started to flee away towards village, they have fired several round upon the informant and in the meantime, police came there and during the course of fleeing away, the criminals have raised slogan Maoist Party-Zindabad and some other slogans against the Constitution of India and this petitioner alongwith other co-accused persons were in black uniform.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. Altogether 14 persons are named in the FIR including the petitioner. General and omnibus allegation has been made. No one is said to have been injured in course of occurrence. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 27404 of 2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 C.J.M., Arwal in connection with Kinjer P.S. Case No.54 of 2010.

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(Sudhir Singh, J)

