

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23602 of 2017

Arising Out of PS.Case No. -181 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

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Mithilesh Yadav S/o Late Ragho Yadav Resident of Village - Takra, P.S. -
Rafiganj, Distt. - Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is languishing in judicial custody since
12.01.2016 in connection with Rafiganj P.S. Case No. 181 of
2015, G.R. No. 2138 of 2015, Sessions Trial No. 292 of 2016/100
of 2016 for the offence alleged under Sections 147, 148, 149, 341,
323, 325, 307 and 302 of the Indian Penal Code.

Earlier the bail application of the petitioner was
rejected on 24.05.2016 in Cr. Misc. No. 12047 of 2016.

It has been submitted by the learned counsel for the
petitioner that he is innocent, he has no criminal history and has
been falsely implicated in the aforesaid case. He submits that there
is general and omnibus allegation against 11 accused persons



including the petitioner and the father of the informant was of criminal character, which is supported by the independent witnesses in paragraph-19 and 21 of the case diary. It has further been submitted that no injuries are attributed to the petitioner as there is no specific allegation against him. He further submits that the charge sheet has already been submitted and the petitioner is facing trial and is ready to co-operate with the trial. He submits that two of the other accused persons have also been granted the privilege of bail by this Court in Cr. Misc. No. 2982 of 2017 on 26.04.2017 and Cr. Misc. No.22201 of 2017 on 10.05.2017 on similar allegation.

Learned A.P.P. appearing for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI, Aurangabad in connection with Rafiganj P.S. Case No. 181 of 2015 (G.R. No. 2138 of 2015/ S.Trial No. 292/2016/ 100 of 2016, subject to condition that one of the bailors would be a close relative of the petitioner, who will file an affidavit indicating his relation with the



petitioner and that petitioner will appear before the learned court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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