

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50999 of 2019

Arising Out of PS. Case No.-207 Year-2015 Thana- DULHIN BAZAR District- Patna

MITHLESH YADAV @ MITHLESH KUMAR, aged about 55 years (Male),
Son of Chandeshwar Yadav @ Chandradeo Yadav, Resident of Village - Rikhi
Tola, P.S.- Dulhin Bazar, Distt - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Sinha, Advocate.

For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
23.06.2019 in a case for the offence registered under Section
364/34 of the IPC. Later on, Sections 302 and 201 of the IPC
were also added.

The prosecution story, in brief, is that when the son of
the informant went for working as driver of Highwa Truck for
Mother India Construction Company, he did not return home,
thereafter, he enquired and knew that the alleged Truck met with
an accident which caused death to one of the villagers due to
which the accused persons and several other agitators put the
Truck on fire and abducted the son of the informant with intent



to kill him.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The deceased happened to be the driver of the Truck which had met with an accident causing death to one of the villagers. In retaliation, villagers abducted the deceased who was the driver of the Truck. The deceased was assaulted by the mob. The deceased succumbed to the injuries. No specific allegation has been made against the petitioner. Other co-accused Madan Prasad @ Madan Yadav has been granted bail by this Court vide Cr. Misc. No. 15220 of 2016 under order dated 18.07.2016, Umesh Yadav has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 23756 of 2016 under order dated 19.08.2016, Jitendra Kumar @ Lola Kahar has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 37751 of 2016 under order dated 11.11.2016, Surendra Yadav and Ram Pravesh Skingh @ Ram Pravesh Yadav have been granted anticipatory bail by the then another Co-ordinate Bench of this Court vide Cr. Misc. Nos. 39870 of 2016 and 44808 of 2016 under order dated 07.02.2017, Jitendra Kumar has been



granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 51204 of 2017 under order dated 20.03.2018 and Amit Kumar has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 38650 of 2018 under order dated 04.07.2018, vide Annexures- 2,3, 4,5 and 6 to the present application.

On behalf of the learned counsel for 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Danapur, Patna, in connection with Dulhin Bazar P.S. Case No. 207 of 2015.

(Sudhir Singh, J)

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