

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63709 of 2019

Arising Out of PS. Case No.-451 Year-2018 Thana- MAHESI District- East Champaran

MITHLESH KUMAR DWIVEDI Son of Nand Kishor Dwivedi Resident of
Village - Dewajeet Parsauni, P.S.- Mehshi, Distt - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 392/120B of the Indian Penal Code in which sections 395 and 397 IPC were added later on.

Prosecution allegation, in short, is that the accused persons entered into the house of the informant and looted valuable jewellery as also cash amount.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.5.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional



statement of co-accused. There is no recovery of any incriminating articles from the possession of the petitioner. The petitioner has not been put on T.I.P.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned A.D.J.M. -VI, Motihari in connection with Mehsi P.S. Case No. 451/18.

(Sudhir Singh, J)

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