

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24559 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- MAHUA District- Vaishali

MITHILESH SINGH, S/o Iandradeo Singh @ Iner Singh, R/o Village- Mirza
Nagar, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Chandra Gandhi, Adv.
For the Opposite Party/s	:	Mr.A.G.
	:	Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399/402 of the Indian Penal
Code and 26(1-b)a, 26, 35 of the Arms Act.

The prosecution case as per FIR, on 20.01.2020
informant of this case namely Md. Nausad Alam, SHO, Mahua



was on patrolling duty along with other police personnel. It is alleged that when informant arrived at Kanhauli Bazar at about 10.15 O'clock then he received a tip-off that some miscreants are present at Tadi Gaddi situated at Persaunia and they are plant to commit crime. So, informant arrived at Persaunia at Tadi Gaddi then having seen the police some stated to flee away but out of them three persons were apprehended by the police force and when they enquired, they disclosed their names to be Ranjan Kumar and Mithilesh Singh (petitioner) and Kundan Kumar. It is further alleged that aforesaid apprehended persons also disclosed that Rakesh Kumar @ Shahansah and three other persons have fled away. It is further alleged that when searched was made out, from the possession of accused Ranjan Kumar Rs.1200/- and one mobile of Honour Company were recovered and from the possession of accused namely Mithilesh Singh Rs.1500/- were recovered. It is further alleged that when aforesaid persons were inquired about the said seized country made pistol, mobile, cartridge and cash then they did not give any satisfactory reply then they disclosed that the said Rupees were looted by them from other persons and it is further alleged that one Pulsar motorcycle was also recovered from the place of occurrence about which aforesaid apprehended persons



disclosed that the said motorcycle belongs to Rakesh Kumar @ Shahansah. It is further alleged that they were present at the said Tadi Gaddi with other accused persons from making plan to commit loot.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. The petitioner is in custody since 22.01.2020. The co-accused namely Ranjan Kumar @ Ranjan Kumar Singh has been granted bail by the Co-ordinate Bench of this Court vide order dated 06.07.2020 passed in Cr. Misc. No.21620 of 2020.

Learned APP for the State opposes the prayer for bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M.-Vaishali at Hajipur, in connection with Mahua P.S. Case No. 29 of 2020.

(Anjani Kumar Sharan, J)

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