

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27496 of 2020

Arising Out of PS. Case No.-496 Year-2019 Thana- HARNAUT District- Nalanda

MITHLESH PASWAN S/o Kapil Paswan Resident of Village-Dihra, P.S.-
Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha, Adv.

For the Opposite Party/s : Mr. Laxmikant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-12-2020 Heard the learned counsel for the petitioner
and Sri Laxmikant Sharma, the learned APP for the
State.

The petitioner seeks regular bail in connection
with Harnaut P.S. Case No. 496 of 2019, registered
for the offence punishable under Sections 364/34
of the Indian Penal Code.

The allegation is regarding the informant and
his brother having been intercepted by the
petitioner and other accused persons, while they
were going on a tractor to Fahalnawan village for
taking bundle of paddy crops, whereafter, the
petitioner and other accused persons had



kidnapped the informant and his brother, however, subsequently, upon seeing the police, the accused persons had fled away leaving behind the informant and his brother, whereupon they had returned to their home along with the tractor.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 02.01.2020. It is further submitted by the learned counsel for the petitioner that though the petitioner is an accused in one other case, but he is on bail in the said case. Lastly, it is submitted that a general and omnibus allegation has been levelled against the petitioner herein.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also in the case diary, this Court finds that



minuscule evidence is available so as to corroborate the complicity of the petitioner in the alleged crime, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 496 of 2019.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

