

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31957 of 2020

Arising out of PS. Case No.-92 Year-2020 Thana- ATHMALGOLA District- Patna

Mithilesh Singh, Son of Late Yogendra Singh, Resident of Village - Chanda,
P.S.- Athmalgola, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Pravin Kumar, Advocate
For the Opposite Party	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Athmalgola P.S. Case No.92 of 2020 registered under Sections 25(1-B)a & 26 of the Arms Act.

3. It is submitted that the petitioner has been implicated by the police at the instance of Radhe Yadav and other co-sharers with whom the land dispute is going on from before. When the petitioner and his brother Bashisth Yadav started constructing his house, his co-sharer Radhe Yadav objected that the *Chhajja* of the window is coming on the road side. Later on, when Radhe Yadav started constructing his house, it was objected by the petitioner and his brother Bashisth Yadav. Thereafter, in



order to put pressure upon the petitioner, he started filing cases one after another against the petitioner, his brother and other family members vide Bakhtiyarpur P.S. Case No. 355 of 2019, Athmalgola P.S. Case Nos.69 of 2019 and 51 of 2019. It is contended that in the instant case the petitioner is in custody since 15.04.2020.

4. Learned counsel for the State has opposed the application for grant of bail to the petitioner.

5. Considering the nature of the offence, the allegations made in the first information report, the submissions advanced at the Bar and the period undergone by the petitioner in custody, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Barh in connection with Athmalgola P.S. Case No.92 of 2020.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Senior Secretary.



- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Senior Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J.)

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