

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20456 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- MURLIGANJ District- Madhepura

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MITHUN YADAV @ MITHUN KUMAR YADAV SON OF KAILASH
YADAV R/O VILLAGE- DWARIKA TOLA, P.S.- MURLIGANJ,
DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pradeep Narayan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused Bittu Yadav and this petitioner came and it is stated that co-accused Bittu Yadav shot the son of the informant in his chest leading to his death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No such occurrence as alleged in the F.I.R. has taken place. Referring to the post-mortem report (Annexure-2), it is



submitted that only one injury has been found in the post mortem report on the body of the deceased which as per the F.I.R. is directly attributable to co-accused Bittu Yadav and not the petitioner. The petitioner is in custody since 4.7.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the submissions made on behalf of the petitioner together with the petitioner having remained in custody for 1 year 2 months, the Court directs the petitioner to be enlarged on bail in connection with Murliganj P.S. Case no.203 of 2020 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 Additional Chief Judicial Magistrate II, Madhepura.

(Partha Sarthy, J)

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