

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34324 of 2021**

Arising Out of PS. Case No.-382 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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MITHLESH SINGH @ MITHILESH SINGH S/o Late Awadhesh Singh
Resident of Village- Nawada, P.S.- Saraiya (Jaitpur O.P.), District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 23-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 385, 387, 506, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons named in the F.I.R. are stated to have resorted to firing at the instance of the petitioner and others because of threats being given by the petitioner and others to the informant to withdraw the earlier case lodged by him.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case due to previous enmity between the parties which would be evident



from the F.I.R. itself. Learned counsel for the petitioner further refers to the categorical statement made in paragraph no.7 of the petition wherein he has stated that on the alleged date of occurrence the petitioner was in custody in Bhagalpur jail. The petitioner is in custody in the instant case since 17.12.2020 and 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 of the case together with the petitioner being in custody on the date of occurrence and having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sadar P.S. Case no. 382 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 C.J.M., Muzaffarpur.

(Partha Sarthy, J)

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