

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56845 of 2021

Arising Out of PS. Case No.-265 Year-2021 Thana- SAKRA District- Muzaffarpur

MITHLESH KUMAR Son of Shatrudhan Mahto Resident of Village-
Beladam, P.S.- Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 23-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 269, 270, 379, 409, 420, 120B and 34 of the Indian Penal Code, section 7 of E.C. Act and sections 51 and 60 of Disaster Management Act.

As per the prosecution case, on receiving information about black marketing at the time of Covid 19 pandemic, it is stated by the informant that raids were conducted and involvement of a number of accused as given in detail in the FIR transpired. The petitioner is also named as an accused who is the driver of an ambulance.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the entire FIR it would transpire that except naming the petitioner as a driver of the ambulance, no allegations have been levelled against him and he should not have been arraigned



in the category of the accused. He is in custody since 10.5.2021 and has no criminal antecedent.

It is further submitted by learned counsel for the petitioner that the urgency of this matter being taken up out of turn has been stated in the supplementary affidavit filed, that the marriage of the petitioner himself is scheduled to take place on 5.12.2021.

The application for bail is opposed by 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 contents of the FIR, the petitioner not having any criminal antecedent and charge sheet has been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sakra P.S. Case no. 265 of 2021 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, East, Muzaffarpur.

(Partha Sarthy, J)

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