

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4634 of 2021

Arising Out of PS. Case No.-157 Year-2019 Thana- KAUWAKOL District- Nawada

MITHILESH KUMAR YADAV @ MITHILESH YADAV @ DON Son of
Late Baleshwar Yadav @ Baleshwar Prasad Resident of Village-Nawadih,
P.S.-Kawakole (Rupau), District-Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kr. No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Kawakole
(Rupau) P.S. Case No.157 of 2019 registered for the offence
punishable under Sections 147/ 149/ 341/ 323/ 307/ 353/ 337/
338/ 427/ 186/ 226/ 504/ 506 of the Indian Penal Code.

As per the prosecution case, it is alleged that the police
received information that in village Nawadih, some persons



have got injured after assault. On such information police personnel reached there and found that three persons are injured, as such, they were sent to Primary Health Centre, Roh and in course of investigation this petitioner was apprehended. Thereafter, brothers of the petitioner reached there and threatened the police to not arrest the petitioner. Many persons of the village reached there armed with lathi, danda and bricks and attacked the police party and took away Mithilesh Yadav.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place and he has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Other similarly situated co-accused persons namely Balak Yadav and Balbeer Yadav have been granted bail vide Cr. Misc. No.53682 of 2019, Guddu Yadav @Mithilesh Yadav vide Cr.Misc. No.67521 of 2019 and Pravesh Yadav vide Cr. Misc. No.12169 of 2020 by this Hon'ble Court. The petitioner has been languishing in custody since 08.09.2020, as such, he may be released on bail.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in connection with Kawakole (Rupau) P.S. Case No.157 of 2019.

(Anjani Kumar Sharan, J)

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