

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6686 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- BHAWANIPUR District- Purnia

MITHILESH YADAV @ MITHLESH YADAV SON OF DULO YADAV
RESIDENT OF VILLAGE -LILA MOLI, SRIPUR, POLICE STATION-
BHAWANIPUR, DISTRICT PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Krishna Prasad Singh, Sr. Advocate
Bhaskar Shankar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-06-2021 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for grant of
regular bail in connection with Bhawanipur P.S. Case no. 2/2020
registered under sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant
that her son disappeared and subsequently his dead body was found.

It is submitted by learned Senior Counsel appearing for
the petitioner that the FIR was registered against unknown. The name
of the petitioner transpired in course of investigation. In course of
investigation, on going through the call detail report (CDR) of the
deceased it transpired that the last conversation he had was with the
petitioner. It is submitted that no incriminating material has



transpired to connect the petitioner with the alleged crime. An extra judicial confession has been recorded by the police and the same is of no value. The petitioner is in custody since 4.1.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that the petitioner confessed to have committed the crime.

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 and the petitioner having remained in custody for more than 1 year 5 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bhawanipur P.S. Case no. 2/2020 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 Judicial Magistrate 1st Class, Purnea.

(Partha Sarthy, J)

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