

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5724 of 2021

Arising Out of PS. Case No.-486 Year-2020 Thana- MAHUA District- Vaishali

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MITHILESH KUMAR YADAV @ MITHILESH KUMAR son of
Chandeshwar Rai, Resident of Village-Harpur Belwa, P.S.-Mahua, District-
Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

Allegation is recovery of one country-made katta and one live cartridge from possession of the petitioner along with one motorcycle which was being driven by the petitioner and no paper was produced in respect of the said motorcycle.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this



case due to enmity with the police. The said motorcycle was purchased by the petitioner from Ram Ekbal Prasad and papers for transfer of owner book in his name was deposited in the District Transport Office, Muzaffarpur but up till now the owner book has not been transferred in the name of the petitioner. Petitioner has no criminal antecedent and he is in custody since 27.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Mahua P.S. Case No. 486 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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