

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13297 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- RANIGANJ District- Araria

Mithlesh Kumar @ Mithu @ Mithu Yadav Son Of Jagat Narayan Yadav R/O
Village- Gharbandha, Bagulaha, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 392 of the
Indian Penal Code.

The allegation is regarding three unknown miscreants
having intercepted the informant whereafter, they are alleged to
snatched cash amount and other articles from the informant.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that the petitioner is not named in the F.I.R.



During the course of investigation, the petitioner's name has been surfaced in this case only on the basis of confessional statement of co-accused Raushan Kumar, who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 15.02.2022 passed in Criminal Miscellaneous No. 43376 of 2021 and another co-accused, namely, Ramesh Kumar Yadav has also been granted bail by a Co-ordinate Bench of this Court vide order dated 03.03.2022 passed in Criminal Miscellaneous No. 43454 of 2021. It is further submitted that nothing has been recovered from the possession of the petitioner and till date, no Test Identification Parade (T.I.P.) has been made yet. The petitioner is in custody since 25.12.2021, charge-sheet has been submitted in the case and has antecedent of three cases.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Araria in connection with Raniganj P.S. Case No. 130 of 2021 subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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