

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30540 of 2021**

Arising Out of PS. Case No.-200 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

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MITHLESH DAS Son of Late Sahdeo Das Resident of Village - Potour Nabki
Pokhar, P.S.- Ashok Paper Mill, District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Iftekhar Ahmad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Ashok
Paper Mill Patour O.P. P.S. Case No. 200 of 2020 (Session
Trial No. 98 of 2021) registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The father of the informant is said to have been
killed by the petitioner and his associates.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, no specific allegation of assault is attributed to the petitioner. It is quite apparent from the F.I.R itself that the petitioner has been apprehended in this case merely on the basis of suspicion. Except suspicion, no cogent material has come against the petitioner during course of investigation. The petitioner is rotting in judicial custody since 25.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and there is sufficient material available in the case diary against him.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Session Judge, Darbhanga in connection with Ashok Paper Mill Patour O.P. P.S. Case No. 200 of 2020 (Session Trial No. 98 of 2021) with 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 shall remain physically present as directed by the



Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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