

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57218 of 2021

Arising Out of PS. Case No.-478 Year-2021 Thana- AHYAPUR District- Muzaffarpur

MITHILESH RAJAK, Son of Bhikhari Baitha, Resident of Village-Hirodopatti, (Bhadai), P.S.- Hathauri, Distt- Muzaffarpur, Present Resident of Ekta Nagar, Kolhua, Paigamberpur, P.S.- Ahiyapur, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case No. 478 of 2021 registered under Sections 399, 402/34
of the Indian Penal Code read with Sections 25(1-b)a/26/35 of
the Arms Act and Sections 8/20(b)(iii)(B) of NDPS Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.07.2021, charge-sheet has been
submitted and is a person with clean antecedent and allegation
of recovery of a Samsung mobile from the petitioner and as far
as recovery of arms and Charas are concerned, the same is from



other named accused.

Learned counsel submits that the petitioner came to be implicated merely because he was passerby when the search was being made of the named accused persons and the police under mistaken identity arrested the petitioner and from his possession only a Samsung mobile was recovered.

Learned APP opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and is a person with clean antecedent and recovery of Charas is from other accused persons, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No. 478 of 2021.

(Satyavrat Verma, J)

uday/-

U		T	
---	--	---	--

