

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48725 of 2022**

Arising Out of PS. Case No.-708 Year-2020 Thana- SARAIYA District- Muzaffarpur

MITHLESH KUMAR @ MITHLESH BHAGAT SON OF NARAYAN
BHAGAT @ RAM NARAYAN BHAKT R/O VILLAGE- LALPURA,
BUDDHA TOLA, P.S.- SARAIYA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State through video-conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414 read with 34 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act and sections 20 and 22 of the N.D.P.S Act.

As per the prosecution case, the allegation against the petitioner is that one loaded country-made pistol and 500 grams of opium were recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 01.08.2022 and 03.08.2022 passed in Criminal Misc. No. 30961 of 2021 and 40266 of 2022 respectively. The petitioner is accused in four other criminal cases which is not of similar nature as stated in Para 3 of the bail petition. The petitioner is in custody since 25.10.2020.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Saraiya P.S. Case No. 708 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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