

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66232 of 2021**

Arising Out of PS. Case No.-10 Year-2017 Thana- PARAIYA District- Gaya

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MITHILESH YADAV @ RAKESH KUMAR SON OF SIDDHNATH
YADAV RESIDENT OF VILLAGE- MARDUYA, P.S- TEKARI, DIST-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Paraiya P.S.
Case No. 10 of 2017 registered for the offence under Sections 302
and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.08.2021.

The allegation against the petitioner is to commit
murder of the son of informant along with other co-accused
persons, due to long standing land disputes.

Learned counsel appearing on behalf of the petitioner
submitted that allegation of firing is not specific against this



petitioner, where, similarly situated co-accused person, namely, Rakesh Kumar @ Rahul Kumar, has already been granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No.69507 of 2018, dated 04.12.2018. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of firing is not specific against this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Paraiya P.S. Case No. 10 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Gaya/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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