

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1765 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- KHARHAGPUR District- Munger

MITHLESH SINGH Son of Binod Singh Resident of Village - Barui, P.S.-
Haveli Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Kamal Nayan
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey
For the informant	:	Mr. Ajit Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kharagpur Police Station Case No. 213 of 2021, registered for
the offences punishable under Sections 302/34 of the Indian
Penal Code and Sections 25 (1-b)a/26 (i) (ii)/27/35 of the Arms
Act.

The prosecution case, as per the First Information
Report, is that co-accused Pawan Singh @ Jalo Singh fired upon
the husband of the informant from the house of the petitioner,
due to which he died.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case due to land dispute and from perusal of the First Information Report, it would be evident that the petitioner is not the assailant and the only allegation against the petitioner is that the assailant fired upon the deceased from the house of the petitioner. He further submits that the petitioner is in custody since 04.07.2021, having no criminal antecedent.

On the other hand, learned Counsel for the informant submits that the petitioner was an abettor and he allowed his house to be used by the co-accused, who fired upon the husband of the informant, causing his death..

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is not the assailant and he is in custody since 04.07.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Munger, in connection with Kharagpur Police Station Case No. 213 of



2021.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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