

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2825 of 2023

Arising Out of PS. Case No.-329 Year-2021 Thana- KHARHAGPUR District- Munger

MITHLESH SINGH Son of Binod Singh Resident of Village- Barui, P.S.-
Kharagpur, District- 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.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 147, 148, 149, 323, 341, 447 and 307 of the Indian Penal Code.

Allegation against this petitioner is that he alongwith co-accused Pawan Singh committed assault with iron rod to son of informant.

It is submitted on behalf of petitioner that F.I.R. has been lodged after a delay of four months and there is no plausible explanation of delay, as such; it casts shadow of doubt on the prosecution case. There is no injury report on record. Similarly situated co-accused Pawan Singh has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 17.11.2022 passed in Cr.Misc. No. 39218 of 2022.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Taking into consideration the inordinate delay in lodging the F.I.R. as also in view of aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 A.C.J.M.-IV, Munger in connection with G.R. No. 2341 of 2021, arising out of Kharagpur P.S. Case No. 329 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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