

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5972 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Mithilesh Singh, S/O Loha Singh, R/v- Mukundpur, P.S.- Charpokhari,
District- Bhojpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Charpokhari P.S. Case No. 173 of 2022 registered under sections 302 and 201/34 of the Indian Penal Code.

As per allegation in the FIR, the petitioner along with other three accused persons killed the father of the informant namely Kashinath Singh by strangulation by lathi. It is further alleged that to conceal the dead body they tried to burn it by pouring acid. During search, informant's father dead body was recovered from the field of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. No specific allegation of overt act is against the petitioner and only on the basis of suspicion, his name has been



dragged in the present case. There is no eye-witness of the alleged occurrence. During investigation no consistent material has come to show the complicity of the petitioner in the present case. The petitioner is suffering from liver diseases as mentioned in para 14 of the petition. The petitioner has no criminal antecedent. The petitioner is languishing in Judicial custody since 06.09.2022.

The application for bail is opposed by learned APP for the State and submitted that as per postmortem report, doctor opined cause of death due to asphyxia by strangulation.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Charpokhari P.S. Case No. 173 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara.

(Sunil Kumar Panwar, J)

sushma/-

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

