

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11064 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- NAWADA MUFFASIL District- Nawada

MITHILESH YADAV @ MITO YADAV Son of Late Sito Yadav R/v-
Asarihi, P.S.- Muffasil, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Along with Mr. Saroj Kumar Chaudhary, Adv.
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 341,
323, 504, 307 and 302 of the Indian Penal Code.

3. As per prosecution case, on the alleged date of
occurrence, the accused persons including the petitioner started
assaulting the husband of the informant Bijendra Kumar by
means of several weapons due to which, he sustained injury and
subsequently he died. Thereafter, this case has been lodged.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. There is general and



omnibus allegation against the petitioner and no specific overt act of assaulting against the petitioner. He further submitted that ten persons are alleged to have assaulted the deceased but according to Postmortem report, which is annexed with the Case diary, only one injury sustained to the deceased. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 26.06.2023 passed in Cr. Misc. No. 16072 of 2023. He is languishing in judicial custody since 26.08.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Nawada Muffasil P.S. Case No. 08 of 2022.

(Sunil Kumar Panwar, J)

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