

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24231 of 2022

Arising Out of PS. Case No.-336 Year-2018 Thana- DUMRA District- Sitamarhi

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MUKESH PATHAK SON OF LATE LALAN PATHAK R/O VILLAGE-
MARUABAD, P.S.- MEHSI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocat Mr. Prafull Chandra Thakur, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-01-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 307,
120B and 34 of the Indian Penal Code, section 27 of the Arms
Act and section 17 of the CLA Act.

As per the prosecution case, it is stated by the
informant that at the time of production of the accused from jail
in the Court premises, firing was resorted to by the accused
persons. It is stated that the petitioner happens to be the
Mukhiya of an organization by the name of Bihar People
Liberation Army and it was on his orders that the occurrence
was given effect to by one Santosh Jha.



It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. Even from the contents of the FIR, the allegation of firing is specific on Santosh Jha and not the petitioner. The petitioner is in custody since 15.4.2019 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation in the FIR wherein the allegation of firing is specific on Santosh Jha and not the petitioner herein together with the petitioner having remained in custody for 3 year 8 months since 15.4.2019, the Court directs the petitioner to be enlarged on bail in connection with Dumra P.S. Case no. 336 of 2018 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 Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

Prakash/-

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