

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45453 of 2023

Arising Out of PS. Case No.-364 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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MITHILESH KUMAR @ MITHILESH KUMAR Son of Suresh Paswan
Resident of Village - Agraili Bitho, P.S.- Chandauti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Motihari (Town) P.S. Case No.364 of 2023 dated
14.05.2023 registered for the offence/s punishable under
Section/s 420, 188 read with 34 of the Indian Penal Code and
Section 66(D) of the I.T. Act.
3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter relates to the
recovery of a mobile phone from the possession of this
petitioner inside the examination hall but the said electronic
device was recovered before the commencement of the
examination and similarly situated three co-accused persons



carrying almost similar nature of allegation have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 41272 of 2023, 40783 of 2023 and 40778 of 2023 and the petitioner has fair and clean antecedent and has been languishing in jail since 15.05.2023 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against this petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Motihari (Town) P.S. Case No.364 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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