

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50101 of 2023**

Arising Out of PS. Case No.-287 Year-2022 Thana- SULTANGANJ District- Bhagalpur

MITHUN YADAV @ MITHUN KUMAR Son of Vijay Yadav, Resident of  
village - Tilakpur, P.S. - Sultanganj, Distt. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Gupta

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      11-08-2023                      Heard the learned counsel for the petitioner as well as  
the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sultanganj P.S. Case No. 287 of 2022, registered for offence punishable under sections 147, 148, 149, 341, 323, 385, 386, 387, 504, 506, 307 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation, on 15.08.2022 at about 6:30 P.M., all the FIR named accused persons came at the *Basa* of cattle of of the informant and demanded ransom of Rs. 25,000/- per month and when the informant's father raised objection, they started abusing and threatening. They also assaulted the father of informant with butt of pistol and gun. Co-accused Fatak



Yadav ordered to kill him, upon which Kare Yadav @ Ritesh Kumar shot fired at the father of informant, which hit right side over his waist, as a result of which, he became seriously injured. On hulla and hearing sound of firing, nearby people gathered and thereafter, the accused persons fled away from there. With the help of family members and villagers, the the father of the informant was admitted in Mayaganj Hospital and from where for better treatment, he was referred to PMCH, Patna, but seeing seriousness of patient, the informant admitted his father at Local Hospital Bhagalpur, and from where he was admitted at Jeevan Deep Hospital where treatment of his father is going on. On 12.07.2022, co-accused Fatak Yadav had taken a sum of Rs. 10,000/- as ransom from the informant.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. There is case and counter case. The allegation against the petitioner is general and omnibus and the allegation of firing on the person of father of the informant is not against the present petitioner, rather it is against co-accused Kare Yadav.

5. On the other hand, the learned APP has opposed the prayer for bail.



6. Considering the above-mentioned facts and circumstances, especially the clean antecedent of the petitioner, let him, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P.S. Case No. 287 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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