

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54949 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- RAJNAGAR District- Madhubani

Mithilesh Kumar Son of Rambabu Mahto, Resident of Village - Sapta, Police Station - Rahika, District – Madhubani. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Mr. Anant Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rajnagar P.S. Case No. 32 of 2023 dated 12.02.2023, lodged under Sections 399, 402 of the Indian Penal Code read with Section 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, the F.I.R. has been lodged against four named accused persons and one unknown accused person including the present petitioner alleging therein that the Police has reached on the secret information at the place of occurrence from where three accused persons were arrested and the petitioner fled away. The name of petitioner has been disclosed by the apprehended accused persons.

4. Learned counsel for the petitioner submits that petitioner has not been apprehended from the place of



occurrence, neither any material has been recovered from his possession. He further submits that antecedent of petitioner is clean and due to village politics his name has been figured in this case at the instance of Police. He also submits that antecedent of petitioner is clean.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Madhubani, in connection with Rajnagar P. S. Case No. 32 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the prosecution would be at liberty to move for cancellation of bail of the petitioner, if he found involved in other criminal case.

(Dr. Anshuman, J.)

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