

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55534 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Mithlesh Yadav Son Of Late Dhanik Yadav Resident Of Village- Gosaigaon,
P.S.- Gopalpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)A, 26,35 of Arms Act.

It is a case of preparation of making offence and from the possession of petitioner one mobile and motorcycle were recovered as appeared from seizure list.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 03-06-2022. It is further submitted that petitioner has valid paper of the seized motorcycle and mobile. There is no independent witness of the alleged seizure. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, similarly situated coo-accused person has been granted bail vide order dated 09.01.2023 passed in Cr. Misc. No. 45115 of 2022 by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Naugachia P.S. Case No. 143 of 2022 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 A.C.J.M., 1st, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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