

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63716 of 2023

Arising Out of PS. Case No.-392 Year-2014 Thana- AURANGABAD TOWN District-
Aurangabad

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Mithlesh Singh @ Mithilesh Singh Son Of Late Bhagwan Singh Resident Of
Village- Renu Bigha, Ps- Muffasil Aurangabad, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, it is alleged that elder brother of the informant went outside after receiving the mobile call of co-accused Ranju Devi and thereafter informant's elder brother was recovered with fire arm injuries.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR and he has falsely been implicated in this present case merely on



the basis of confessional statement of co-accused. The informant is not an eye witness of the alleged occurrence and there is no specific allegation levelled against the petitioner . Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 20.05.2015 passed in Cr. Misc No. 14237 of 2015. It is further submitted that the petitioner is languishing in judicial custody since 18.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Aurangabad Town P.S. Case No. 392 of 2014 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II, Aurangabad.

(Sunil Kumar Panwar, J)

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