

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58847 of 2022**

Arising Out of PS. Case No.-172 Year-2020 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Mithlesh Kumar @ Mithilesh Kr. Son Of Ram Naresh Rai R/O Village-
Kalyanpur, Basti Tole Tara, P.S.- Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shilpi Keshri
For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 02-02-2023 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 376(G), 302, 201 of
the Indian Penal Code and Section 66(A) of I.T. Act.

The prosecution case in nutshell is that when
the mother of informant went for call of nature,
petitioner along with other co-accused persons caught
her and administered her some intoxicating substance. It
is also alleged that they ravished her and killed her by



drowning in a pond.

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 there is no eye witness of the alleged occurrence. During investigation, it was not established that the photo of the deceased was made viral by the petitioner. The name of petitioner sprang up on the basis of confessional statement of co-accused Suraj Kumar, who has already been granted Bail(on 7.4.2022 passed in Cr. Misc. No. 57220 of 2021) by this Court. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted that petitioner is languishing in judicial custody since 13.05.2022.

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 Mohiuddin Nagar P.S. Case No. 172 of 2020 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. IV, Samastipur/ Concerned Court.

(Sunil Kumar Panwar, J)

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