

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71780 of 2022

Arising Out of PS. Case No.-280 Year-2018 Thana- BIHPUR District- Bhagalpur

Mithilesh Yadav @ Mithlesh Yadav Son Of Late Lago Yadav @ Lagan Yadav
@ Nago Yadav R/O Vill.- Gannol, P.S.- Bihpur (BHAWANIPUR), Distt.-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-03-2023 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 connection with Bihpur (Bhawanipur) P.S. Case
No. 280 of 2018 registered under sections 147, 148, 149, 341,
323, 302 and 506 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegation against the co-accused persons including
this petitioner is that they committed murder of the father of the
informant, namely, Satyanarayan Yadav.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to village politics. It is
further submitted that the main allegation of opening fire is



against other co-accused persons, namely, Sintu Yadav and Shankar Yadav not against this petitioner. There is general and omnibus allegation has been levelled against the petitioner. Nothing cogent material has come against the petitioner. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 07.01.2019 in Cr. Misc. No. 78043 of 2018. The petitioner is languishing in judicial custody since 15.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bihpur (Bhawanipur) P.S. Case No. 280 of 2018 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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