

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33097 of 2024

Arising Out of PS. Case No.-31 Year-2023 Thana- GORAUL District- Vaishali

Mithilesh Kumar, aged about 23 years, Male, Son of Late Bhola Sahni, R/o Village- Mothan, P.S.- Meenapur, Dist.- Muzaffarpur at present Village- Raghunathpur Imadpur, P.S.- Bhagwanpur, Dist.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Goraul P.S. Case No. 31 of 2023 dated 29.01.2023 registered for the offences punishable under Section 414 read with Section 34 of the I.P.C. and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, the police during the checking of the vehicle, intercepted a motorcycle and apprehended three accused persons including the petitioner and on search, one country made katta alongwith two live cartridges were recovered from his possession.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. No incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that other co-accused persons have already been granted bail vide Cr. Misc. No. 37070 of 2023 under order dated 07.07.2023 and Cr. Misc. No. 52090 of 2023 under order dated 18.08.2023. The petitioner has eight criminal antecedents and in all cases he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 29.01.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Vaishali at Hajipur in connection with Goraul P.S. Case No. 31 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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