

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61049 of 2024**

Arising Out of PS. Case No.-10 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Mithilesh Yadav @ Mithilesh Kumar son of Rameshwar Yadav Village-  
Pareya ,P.S-Chiraiya (sikarganj) ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      04-10-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Pakridayal P.S. Case No. 10 of 2024 dated 10.01.2024 registered for the offences punishable under sections 399 & 402 of the Indian Penal Code and u/ss 25(1-B)a/26/35 of the Arms Act.

3. As per the prosecution case, the petitioner and some miscreants boarded on two motorcycles gathered to commit a crime. Four accused persons fled away and one person was apprehended from the place of occurrence. One country made pistol loaded with four cartridges and mobile phone were recovered from the possession of the co-accused persons.

4. Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no specific overt act against the petitioner. The petitioner has no concern with the alleged arms. Similarly situated co-accused has already been granted regular bail by this court vide order dated 14.02.2024 passed in Cr. Misc. No. 34330 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 10 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

guddukr/-

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