

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66736 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- RAJAON District- Banka

Mithun Yadav, S/o Gopal Yadav, Resident of Village- Bari Mirjapur, P.S-
Kasim Bazar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Advocate
		Mr. Ravi Prakash dwivedi, Advocate
For the Opposite Party/s :		Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Rajoun P.S. Case No.531 of 2023, registered for the offences under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, some altercation took place between the informant and the petitioner and other co-accused persons and co-accused Kaju Yadav fired upon the informant and shot him in his thigh.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. There is no specific allegation against the petitioner for causing any injury and only allegation is that of entering into of altercation as is evident from the FIR. There is no allegation of any overt act against the petitioner. The petitioner is having criminal antecedent of one case.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that there is no allegation of any overt act against the petitioner and further considering the possibility of false accusation, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 531 of 2023, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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