

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72285 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- BARUN District- Aurangabad

Mithlesh Kumar Yadav @ Mitlesh Kumar S/o Shri Kapil Yadav @ Kapildev Yadav R/o Village- Bhaluvahiya, Police Station- Barun, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2024

Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 328 and 34 of the Indian Penal Code .

3 . As per prosecution case , this petitioner used to harass the informant by calling on her mobile phone which was objected by her husband and being infuriated with the same this petitioner along with co-accused Kamlesh Yadav killed husband of informant by administering poison .

4. Learned counsel for the petitioner submits that after investigation police has submitted chargesheet u/s 306/ 34 of I P C against this petitioner and informant. As per F. I. R., it is apparent that the alleged occurrence took place on 19.06.2023



but the present F.I.R., has been lodged on 22.06.2023 after delay of 3 days for which there is no plausible explanation for the same . It is further submitted that no occurrence as alleged by the informant ever took place and rather there was quarrel between informant and her husband and out of anger husband of informant himself consumed poison . Petitioner is in custody since 22.08.2024 . Chargesheet has already been submitted.

5 . Learned A.P.P. for the State vehemently opposed the bail application .

6. Considering the nature of accusation and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Aurangabad in connection with Barun P. S. Case No. 288 of 2023 .

(Prabhat Kumar Singh, J)

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