

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2641 of 2024

Arising Out of PS. Case No.-769 Year-2022 Thana- BARH District- Patna

Mithlesh Yadav @ Biso Yadav @ Miso Yadav S/o Asloak Prasad @ Aslock Prasad @ Aslock Yadav R/o Village-Baso Bagi, Berhna, P.S-Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the State : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 22.05.2023 in Cr. Misc. No. 20605 of 2023.

3. The petitioner seeks bail in connection with Barh P.S. Case No. 769 of 2022 registered for the offence punishable under Sections 341, 354(B), 307, 506 and later 376 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioner is said to have tried to commit rape and on refusal of the victim, he has said to have fired at her which hit her.

5. Earlier the bail application of the petitioner was



rejected on the ground that there was suppression of one criminal antecedent.

6. It has been submitted by learned counsel for the petitioner that the prosecution case is doubtful as the doctor has no found any external injury over the body.

7. Learned APP for the State has opposed the prayer for bail.

8. I have considered the injury report. There is no external injury or no bullet injury on the victim. The petitioner is in jail since 30.11.2022.

9. Considering the aforesaid, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 769 of 2022.

(Sandeep Kumar, J)

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