

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7536 of 2025

Arising Out of PS. Case No.-100 Year-2024 Thana- PRATAPGANJ District- Supaul

Mithilesh Kumar, aged about 22 years, Male, S/o Sadanand Yadav, R/o vill -
Kolhuwa, Ward No. 7, P.S. - Shankarpur, Distt.- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party : Mr. Anuj Kumar Shrivastava, A.P.P.

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

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions
Trial No. 363 of 2024, arising out of Pratapganj P.S. Case No.
100 of 2024 dated 03.06.2024 registered for the offences
punishable under Sections 394, 307 of the I.P.C. and Section 27
of the Arms Act.

3. As per the prosecution case, four unknown miscreants
are alleged to have looted Rs. 25,290/-, mobile phone and
Bluetooth device from the informant on the point of pistol.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. His name



has surfaced in the present case on the basis of the confessional statement of the co-accused Nitish Kumar. It is further submitted that the police recovered Rs. 5,000/- from the pocket of the petitioner which belongs to him. No T.I. Parade has been conducted to ascertain the real culprit of the alleged offence. No incriminating article has been recovered from his possession. It is further submitted that the other co-accused Nitish Kumar has already been granted bail by a Bench of this Court in Cr. Misc. No. 9377 of 2025 vide order dated 27.02.2025. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 05.07.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, 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 Additional Sessions Judge-Vth, Supaul in Sessions Trial No. 363 of 2024, arising out of Pratapganj P.S. Case No. 100 of 2024 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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