

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11183 of 2025

Arising Out of PS. Case No.-128 Year-2023 Thana- PARSAUNI District- Sitamarhi

Mithilesh Pathak @ Mithlesh Pathak S/o Late Ram Vilas Pathak @ Late Ram
Bilas Pathak @ Late Ram Bilash Pathak R/o village - Harpur Pipra ward no.
-8, P.S. - Suppi, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Parsauni P.S. Case No. 128 of 2023 registered for the alleged offences under Sections 25(1-b)a, 26, 35 of the Indian Penal Code.

3. As per the prosecution case, on secret information that the petitioner, an accused in Parsauni P.S. Case No. 85 of 2023 was seen roaming a raid was conducted and the petitioner was apprehended by the police party. From the possession of the petitioner, a loaded country made katta with one live cartridge was recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has antecedent of altogether seven cases and he is on bail in all such cases. Learned counsel further submits that the alleged recovery was planted and the petitioner has no concern with the seized material. The petitioner is in custody since 27.09.2023 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner and submits that the petitioner is a habitual offender and is accused in altogether seven cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named are directed to 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 learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Parsauni P.S. Case No. 128 of 2023, subject to the 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 court below.

(Arun Kumar Jha, J)

Prakash/-

U			
---	--	--	--

