

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32952 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- CHARPOKHARI District- Bhojpur

Mithalesh Singh @ Mithilesh Singh S/O Late Ramjee Singh Resident of
Bajen, P.S.- Charpokhari, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Charpokhari P.S. Case No. 50 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner and co-accused persons, who were variously armed, came to the door of the informant and started hurling abuses. When the informant forbade them from doing so, they started assaulting him. Other co-accused persons also instigated them. Co-accused Golu Kumar Singh hit the informant with lathi causing injury on his



head. When the informant started fleeing away, he was shot at by the assailant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. From the FIR no motive is apparent and the prosecution case is not believable. Moreover, the allegations are general and omnibus and vague in nature and are totally false, fabricated and groundless. There is no eye witness to the occurrence of assault upon the informant and the witnesses who came forward, they are all interested witnesses. The petitioner has become victim of circumstances and made accused in this case. The petitioner is in custody since 18.03.2025 and charge sheet has been submitted. The petitioner is having antecedent of one case in which he has been acquitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague, non-specific and non-serious nature of allegation against the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner



above named is 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, Ist Class, Bhojpur, Ara/concerned Court in connection with Charpokhari P.S. Case No. 50 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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