

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48739 of 2025

Arising Out of PS. Case No.-53 Year-2024 Thana- Dhobaha District- Bhojpur

Mithilesh Kumar Yadav @Mithlesh Kumar Yadav. S/o Shiv Shankar Yadav
Resident of village- Chhotaki, Itahana, P.S.- Krishnanagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Dhobaha P.S. Case No. 53 of 2024, instituted for the offences
punishable under Sections 109, 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that three
unknown persons boarded on a motorcycle chased the informant
and fired upon him due to which he sustained grievous injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Rishi and the same has got no evidentiary value. It is next submitted that the informant is not known to the petitioner and, therefore, he has got no reason for committing the occurrence as alleged against him by the co-accused person. The petitioner is in custody since 25.08.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 17.02.2025 passed in Cr. Misc. No. 840 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Dhobaha P.S. Case
No. 53 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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