

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52261 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Mithilesh kamat @ Mithlesh Kamat S/o Late Garib Das @ Gajendra Kamat
R/o Village - Kahara, Ward no. 24/42, P.S - Saharsa Sadar, District - Saharsa,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

4 26-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 72 of 2024 instituted for the
offence under Sections 341, 323, 324, 326, 307, 379, 384, 386,
504, 506 & 34 of the Indian Penal Code.

3. Prosecution case in short is that co-accused persons
including the petitioner have assaulted the informant by various
means, due to which he sustained injury. It is also alleged that
they have taken away Rs. 20,000/- from his pocket.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07.05.2025. Petitioner
bears one criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to dirty village politics and land dispute. Nothing incriminating has been recovered from the possession of the petitioner. There is allegation of assault by means of *farsa* against the petitioner, and the injury is found to be grievous in nature. The co-accused person has already been granted bail by this Court vide order dated 20.05.2024 passed in Cr. Misc. No. 35601 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Saharsa Sadar P.S. Case No. 72 of 2024, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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