

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60219 of 2025

Arising Out of PS. Case No.-386 Year-2024 Thana- BAUNSI District- Banka

=====

Mitthu Yadav @ Mithilesh Yadav @ Mittu Yadav S/o Sushil Yadav R/o
Village-Daliya, P.S.--Bounsi, Dist-Banka Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Adv

For the Opposite Party/s : Mr. Umanath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Bounsi
P.S. Case No. 386 of 2024 registered for the offences under
Sections 103(1) and 61(2) of the Bharatiya Nyaya Sanhita and
Section 27 of the Arms Act.

3. The petitioner is not named in the F.I.R. and is in
custody since 21.01.2025.

4. As per FIR, petitioner along with 8 named co-
accused persons suspected to commit murder of the son of
informant namely Mitthu @ Abhishek Anand by causing fire arm
injury.

5. Learned counsel appearing on behalf of the petitioner
submitted that admittedly informant is not the eye-witness of the
occurrence and raised suspicion against 9 named accused persons
including this petitioner as to involve in committing murder of his



son Abhishek. It is submitted that during the course of investigation Ashish Kumar @ Raja confessed *qua* involvement of petitioner caused firearm injury on the head of deceased son of informant. It is pointed out that the aforesaid confession was made in police custody, therefore, same appears irrelevant under the law. It is pointed out that except confession nothing incriminating appears during the investigation, as to connect petitioner with the present crime in question. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as except suspicion arising out of confessional statement of apprehended co-accused person namely Ashish Kumar @ Raja prima-facie nothing incriminating surfaced against petitioner during investigation, coupled with the fact as petitioner remains in custody since 21.01.2025, accordingly above named petitioner, is directed to be released on bail in connection with Bounsi P.S. Case No. 386 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned C.J.M. Banka/concerned
court, subject to the conditions as mentioned under Section 480(3)
of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

