

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40134 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -BARACHATTI District- GAYA

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Yugesh Yadav S/o Late Budhu Yadav R/o village - Kahudag, P.S.
Barachati, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 29-01-2016 Heard Sri Dharendra Kumar Sinha, learned counsel for

the petitioner and Sri Damodar Prasad Tiwary, learned Addl.

Public Prosecutor.

The petitioner, apprehending his arrest in connection
with Barachati P.S. Case no.145 /2015 registered for the offence
under Sections 170, 255, 420, 467, 468, 120(B), 379 of the Indian
Penal Code, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that the
petitioner was not named in the F.I.R. and only on suspicion he
has been made accused in the present case. He further submits that
other co-accused, almost in similar situation, namely, Ranjeet
Singh and Mantu Singh @Manojit Singh have been granted
anticipatory bail vide order dated 06.01.2016 passed in Cr.Misc.

No.181 of 2016. Similarly one co-accused, namely, Bushan Yadav has also been extended the privilege of anticipatory bail vide order dated 14.12.2015 passed in Cr.Misc.No.56585 of 2015.

Learned Addl. Public Prosecutor, though, opposed the prayer for anticipatory bail of the petitioner on the plea that the petitioner is having criminal antecedent, but he is not in a position to distinguish the case of the petitioner with the case of other accused, who have been granted anticipatory bail.

In view of facts and circumstances, particularly the fact that other similarly situated accused persons have been granted anticipatory bail, there is no reason to refuse the prayer for anticipatory bail. Let the petitioner, namely, Yugesh Yadav, in the event of his arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sherghati in the district of Gaya in connection with Barachati P.S. Case no.145 of 2015, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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