

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33951 of 2018

Arising Out of PS. Case No.-86 Year-2018 Thana- Sidhwalia District- Gopalganj

Yes Prasad Pandey @ Yagya Prasad Pandey, Son of Subesh @ Subash Chandra Pandey, Resident of Village- Bhimalpatti, P.S. Ahraula, District- Ajamgarh(U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 25-06-2018 Heard Sri Mukesh Kumar Singh, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 03.05.2018 in Sidhwalia P.S. Case No. 86 of 2018 registered for offence under Sections 393 of Indian Penal Code, has prayed for grant of bail on the ground of parity.

Learned counsel for the petitioner submits that in the F.I.R., the allegation was made against three accused persons including petitioner, as if, accused persons were trying to forcibly take away the vehicle of the informant. He submits that one of the co-accused , namely, Vaibhav Kumar Singh, in similar circumstance, has just been granted bail by a coordinate



Bench of this Court only today, vide Cr. Misc. No. 33653 of 2018. Besides this, by way of referring to F.I.R., learned counsel for the petitioner submits that the allegation appears to be improbable.

Besides hearing, I have also perused the F.I.R. and after going through the same, the Court is of the opinion that prosecution case appears to be doubtful. Moreover, since co-accused, in similar circumstance, has already been granted bail, there is no reason to refuse the same relieve to the petitioner

Accordingly, let the petitioner namely Yes Prasad Pandey @ Yagya Prasad Pandey 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 learned Additional Chief Judicial Magistrate, VI, Gopalganj in connection with Sidhwalia P.S. Case No. 86 of 2018.

It goes without saying that whatever observation has been recorded in the present case may not be considered for adjudication of the case at any subsequent stage.

(Rakesh Kumar, J.)

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