

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34052 of 2018

Arising Out of PS. Case No.-39 Year-2016 Thana- Harpur District- Munger

Prakash Yadav, Son of Late Guneshwar Yadav @ Late Bhuneshwar Yadav,
resident of Village Madhodih, P.S. Harpur, District- Munger.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha
		Mr. Kamal Kishore Jha
For the Opposite Party/s	:	Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 08-08-2018 Heard Sri Pankaj Kumar Sinha, learned counsel assisted by Sri Kamal Kishore Jha, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 23-01-2018 in Harpur P.S. Case No. 39 of 2016 (G.R. No. 1964 of 2016) registered for offence under Section 392 of the Indian Penal Code, has prayed for grant of bail, primarily on the ground that one of the co-accused almost in similar circumstance has been granted bail by order dated 15-05-2017, vide Cr. Misc. No. 23024 of 2017.

Learned counsel for the petitioner further submits that petitioner has been made accused primarily on the basis of



confessional statement of co-accused. He submits that the co-accused, who was granted bail, was also having criminal antecedent.

However, on perusal of paragraph – 3 of the petition, it is evident that besides the present case, petitioner is accused in altogether nine cases and out of nine cases, one case i.e. Tarapur P.S. Case No. 12 of 2012 was registered for offence under Sections 395, 364 of the Indian Penal Code and one Asarganj P.S. Case No. 132 of 2017 was registered for offence under Section 392 of the Indian Penal Code, besides other cases relating to offence of kidnapping and Arms Act also.

It was further submitted by learned counsel for the petitioner that petitioner is already on bail in most of the cases, which are mentioned in paragraph – 3 of the petition.

Be that as it may, considering the nature of accusation and antecedent, I am not inclined to grant bail.

The prayer for bail stands dismissed.

(Rakesh Kumar, J.)

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