

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80171 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- CHAINPUR District- Bhabhua (Kaimur)

Piyus Pandey @ Shailesh Pandey Son of Late Kameshwar Pandey Resident
of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Smt. Sahin Begam

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 386, 387, 379,
427, 504, 506/34 of the Indian Penal Code and 27 of the Arms
Act.

No doubt, there is allegation of demand of extortion
money against the petitioner and one co-accused Vijay Yadav
and petitioner does have criminal antecedent of near about five
cases but learned counsel appearing for the petitioner submits
that having similar allegation as well as similar antecedent, one
co-accused Vijay Yadav has been granted bail by the court



below after completion of six months in custody by the direction given in Cr. Misc. No. 64942 of 2018 by a co-ordinate Bench of this court.

Although, learned counsel appearing for the informant opposed the prayer but he could not succeed to distinguish the case of the petitioner from the case of co-accused Vijay Yadav. Therefore, in the aforesaid circumstance, with an object to maintain the parity of justice, petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 114 of 2018.

However, it is made clear that if the indulgence of the petitioner is found in future in similar type of cases, the prosecution may file petition for cancellation of bail of the petitioner.

(Hemant Kumar Srivastava, J)

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