

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28113 of 2021**

Arising Out of PS. Case No.-35 Year-2018 Thana- KAUWAKOL District- Nawada

CHANDAN YADAV Son of Late Bhagirath Yadav Resident of village -
Benipur, Police Station - Rupow, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 07-12-2021 Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Kawakole PS case no. 35 of 2018 instituted for the offences punishable under Sections 384 and allied sections of Indian Penal Code and 27 of Arms Act.

The allegation is regarding the accused persons including the petitioner herein having abused and assaulted the informant and the labourers engaged in loading the tractor with soil for filling a ditch near the house of the informant, whereafter the accused persons are alleged to have taken away the tractor and driver along with them and had demanded extortion money.

The learned counsel for the petitioner has



submitted that the petitioner is innocent and has been falsely implicated in the present case. It is also submitted that a general and omnibus allegation has been levelled against the petitioner. The petitioner is stated to be languishing in custody since 31.05.2019. The learned counsel for the petitioner has further submitted that many of the similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court; one of them being Sakindra Yadav @ Sako Yadav who has been granted bail by a co-ordinate Bench of this Court vide order dated 08.09.2021, passed in Cr. Misc. no. 10888 of 2021. One other co-accused person namely Babloo Yadav has also been granted bail by a co-ordinate Bench of this Court vide order dated 27.05.2020, passed in Cr. Misc. no. 83897 of 2019.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Chief Judicial Magistrate-I, Nawada in connection with Kawakole PS case no. 35 of 2018.

(Mohit Kumar Shah, J)

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