

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7976 of 2021

Arising Out of PS. Case No.-75 Year-2017 Thana- PIRI BAZAR District- Lakhisarai

Shankar Yadav Son of Darogi Yadav, Resident of Village - Lahsorba, P.S. -
Piri bazar, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 16-08-2021 In view of the sudden resurgence of Covid-19 infection,
there is limited functioning of the High Court and, therefore, the
matter has been listed today for consideration through virtual
mode.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Piri Bazar P.S. Case No.75 of
2017, instituted for the offence under Sections 147, 148, 149,
447 and 364 of the Indian Penal Code and under Sections 10, 13
and 16 of the UAPA Act.



The prosecution case alleges that the father and two sons have been kidnapped by the petitioner with the help of several others, to settle some land dispute.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner is in custody since 15.02.2020. The implication is taking advantage of the antecedents of the petitioner, to settle the land dispute between the parties. Co-accused Shambhu Kora has been allowed bail in Cr.Misc.No.3302 of 2018. The falsity of allegation is evident from the fact that the alleged victims of kidnapping have returned on the very next day of the alleged kidnapping.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released 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 S.D.J.M./Chief Judicial Magistrate, Lakhisarai in connection with Piri Bazar P.S. Case No.75 of 2017 corresponding to G.R. No.954 of 2017, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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