

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8858 of 2021

Arising Out of PS. Case No.-38 Year-2015 Thana- LAKHISARAI District- Lakhisarai

RAVI YADAV @ ARVIND KUMAR YADAV S/o BHOLA PRASAD
YADAV @ BHOLA YADAV Resident of Ward No.43, Heru Diyara, P.S.-
Kasim Bazar, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

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

This is an application for grant of anticipatory bail in connection with Lakhisarai P.S. Case No. 38/2015 registered for the offence punishable under Section 147, 148, 149, 341, 457, 384, 386, 364(A) of the Indian Penal Code and Section 27 of



the Arms Act.

The allegation is regarding the accused persons including the petitioner having arrived at the house of the informant, whereafter they had demanded extortion money to the tune of Rs. 5,00,000/-. It is further alleged that on account of non-fulfilment of the demand of extortion money, the accused persons had kidnapped the son of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the police had investigated the case and found the case to be false, hence, had submitted final form but the learned court below had differed with the police report and has taken cognizance in the matter. It is submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by order dated 7.8.2020 passed in Criminal Miscellaneous No.



18142 of 2020.

Per contra, the learned APP for the State, Sri Ashok Kumar, 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 petitioner 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 the privilege of anticipatory bail by a coordinate Bench of this Court, as aforesaid, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the Ld. court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Lakhisarai in connection with
Lakhisarai P.S.Case No. 38 of 2015 (G.R. No.
94/2015), subject to the conditions as laid down
under Section 438(2) of the Code of Criminal
Procedure.

(Mohit Kumar Shah, J)

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