

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37591 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- HASPURA District- Aurangabad

KAMLESH YADAV Son of Laldev Yadav Resident of Village- Birhara Tola
Chaman Bigha, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered u/s 379, 384 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the informant received information on call that two unknown miscreants entered his rice mill forcibly and gave a letter demanding Rs Five lakh as levy and also fired on the ground which caused a stone to hit the shoulder of one of his labourers. The miscreants also took away informant's mobile set containing two SIM cards.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and the name of the petitioner has surfaced in the self-statement of the petitioner recorded in Haspura P.S. Case No. 85 of 2021 and the petitioner was remanded in this case after nine months. No T.I.P. has been conducted by the prosecution. The co-accused person has already been granted bail vide order dated 08.09.2022 passed in Cr. Misc. No. 28399 of 2022 by a Co-ordinate Bench. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 09.09.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Daudnagar, District-Aurangabad in connection with Haspura P.S. Case No. 85 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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