

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52380 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- BAKHTIYARPUR District- Patna

KAUSHAL YADAV S/o- LATE JOGENDRA YADAV Resident of Village-
Madhopur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 387, 386, 120B and 34 of the Indian Penal Code.

As per the prosecution case, one Akash @ Chotu is said to have gone to the informant and threatened him that the three named accused persons including the petitioner herein who were in custody had stated that it was because of the informant that they were in custody and that he should pay for their bail. Thereafter, it is stated that the informant paid a sum of Rs. 10,000/- to him. It is further stated that Akash @ Chotu also got the informant to talk to the three accused persons including the petitioner herein by switching on the mobile phone on speaker mode.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the petitioner has been falsely implicated in the case for the reason



that he was admittedly in custody on the said date. Allegations if any is against Akash @ Chotu who has himself been enlarged on bail vide order dated 13.12.2021 passed in Cr. Misc. no. 18397 of 2021. Further co-accused Kamlesh Yadav has also been enlarged on bail vide order dated 24.1.2022 passed in Cr. Misc. no. 44115 of 2021. The petitioner is in custody since 20.10.2019 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to the above named two co-accused as also the petitioner having remained in custody for more than 1 year 4 months, the Court directs the petitioner to be enlarged on bail in connection with Bakhtiyarpur P.S. Case no. 219 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Barh, District Patna.

(Partha Sarthy, J)

Prakash/-

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