

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54742 of 2021

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

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PAREM KUMAR @ DHANANJAY KUMAR @ DHANANJAY YADAV @
P.K.YADAV @ PREM KUMAR Son of Ramdiyal Rai Resident of Village-
Hakikatpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-04-2022 Heard learned counsel for the parties.

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, it is stated by the informant that one Aakash @ Chhotu came to his house and said that Kamlesh Yadav who is in custody had demanded a sum of Rs. 10,000/-. Out of fear the informant paid the said amount. Subsequently he came once again, connected his telephone call to the accused persons, namely, Kamlesh Yadav, Kaushal Yadav and the petitioner herein who were in custody and after switching on the speaker of the mobile phone got him to talk to them. Once again it is stated that the accused persons told him that it was because of him that they were caught and the informant should pay Rs. 2 lacs or else he would be



killed.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the contents of the FIR itself it would be evident that the main allegation is against Aakash @ Chhotu. Even on the alleged date of occurrence the petitioner was in custody. The petitioner is in custody since 20.10.2020 and investigation in the case has concluded.

The application for bail is opposed by learned APP for the State who submits that the petitioner has as many as 18 cases lodged against him from before.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being in custody on the date of occurrence and having remained in custody in the instant case for over 1 year 5 months, the petitioner is directed 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 III, Barh, District Patna.

(Partha Sarthy, J)

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