

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29934 of 2023

Arising Out of PS. Case No.-162 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Jawahar Yadav, Son of Yugal Yadav, Resident of Village-Tetariya, PS-Chanan,
Dist.-Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection with Piribazar P.S. Case No.162 of 2021 registered for the offences punishable under Sections 147, 148, 149, 448, 364 of the Indian Penal Code, Section 27 of the Arms Act as well Sections 16, 18, 20 and 23 of the Unlawful Activities (Prevention) Act.

The accused/petitioner is not named in the FIR and is in custody since 18.08.2022.

As per allegation in the FIR, 10-15 miscreants entered into the house of the informant and kidnapped his son namely, Deepak Kumar.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is submitted that the victim after recovery not named this petitioner. It is further submitted that similarly situated co-accused, namely, Chandan Naiya @ Kandua Naiya has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 22.03.2023 passed in Cr. Misc. No.68274 of 2022. While concluding argument, it is submitted that the petitioner involved in five more criminal cases, where he is on bail in three cases and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances, as victim not named this petitioner after recovery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 18.08.2022, accordingly, he is directed to be released on bail 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 Judicial Magistrate-1st Class, Lakhisarai in connection with



Piribazar P.S. Case No.162 of 2021, subject to the conditions as
laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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