

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29076 of 2024

Arising Out of PS. Case No.-403 Year-2022 Thana- BARARI District- Katihar

1. Rajesh Yadav S/o Late Ram Das Yadav R/o vill - Bakiya Sukhay, P.S. - Barari, Distt.- Katihar
2. Gayash Yadav @ Bibhash Kumar Yadav S/o Kriti Yadav @ Kritya Yadav R/o vill - Bakiya Sukhay, P.S. - Barari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody registered for the offence under Sections 147, 148, 149, 341, 323, 307, 302, 201, 364, 386 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of abduction of the son of the informant.

4. Learned counsel for the petitioners have submitted that petitioners have falsely been implicated in this case. He next submits that similarly situated co-accused persons have already been granted bail by a Co-ordinate Benches of this



Court passed in Cr. Misc. No. 41308 of 2023, 50022 of 2023 and 20114 of 2023 and also the fact that one co-accused has also been granted bail by this Court in Cr. Misc. No. 6079 of 2024 and in Cr. Misc. No. 8524 of 2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the fact that similarly situated co-accused has already been granted bail by this Court, let the petitioners, above named, be directed to be released on bail in connection with Barari P.S. Case No.403 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-III, Katihar with following conditions:-

(i) The petitioners shall support in trial and shall appear physically present before the trial Court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

(ii) One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioners.



(iii) The petitioners shall file an affidavit at the time of furnishing of bail bond and he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

(Ramesh Chand Malviya, J)

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