

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47216 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- MANSI District- Khagaria

Indal Yadav @ Indal Kumar @ Indal Kumar Yadav Son Of Shrawan Yadav
Resident Of Village - Dhamhara, Police Station - Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Mansi P.S. Case No. 138 of 2023, instituted for the offences punishable under Sections 341, 323, 307, 386, 379, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, while the informant was returning from Munger on his Fortuner vehicle, the accused persons including the petitioner started indiscriminate firing on the vehicle of the informant. Thereafter, the accused persons looted informant's golden chain and cash of Rs. 1,25,600/-. The accused persons also demanded extortion money of Rs. 20 lakhs and said that not only that, he has to also



give extortion money of Rs. 12 lakh yearly. They also threatened to kill the informant and disappear his dead body if he would not pay the extortion money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge has already been framed in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of 21 days in lodging the F.I.R. The allegations levelled against the petitioner is not specific, rather general and omnibus in nature. The petitioner is in custody since 05.12.2023 and has got two criminal antecedents in which the petitioner is on bail in one case and has been acquitted in the other case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 23.04.2024 passed in Cr. Misc. No. 30975 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, since charge has already been framed as well as taking into account the period of custody undergone by the



petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansi P.S. Case No. 138 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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