

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77217 of 2024

Arising Out of PS. Case No.-65 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Kaushal Yadav @ Kaushal Kishore Son of Late Bimal Yadav R/O Vill.-
Kawaiya, Dumka, P.S.- Kawaiya, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate
For the State : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 363, 365, 386 and 34 of the Indian Penal Code, Sections 25(1-b)a, 26(i) and 35 of the Arms Act and Sections 37(b)(c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, this petitioner, along with all the F.I.R. named accused persons and 5 to 6 unknown persons, demanded *rangdari* and also snatched mobile phone and ornaments.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case. It is further submitted that similarly situated co-accused, namely *Pawan Yadav*, having similar and identical allegations,



has already been granted the privilege of bail by a Co-ordinate Bench of this Hon’ble Court vide order dated 07.12.2022 passed in *Cr. Misc. No. 53726 of 2022*. Petitioner is in custody since 31.08.2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. and has also got two criminal antecedents.

6. Considering the aforesaid facts and circumstances of the case, rival submissions, nature of accusation, period of custody and claim based on parity, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Special Excise Court-1st, Lakhisarai, in connection with Lakhisarai (Kawaiya) P.S. Case No. 65 of 2022.

(Prabhat Kumar Singh, J)

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