

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2767 of 2025

Arising Out of PS. Case No.-228 Year-2019 Thana- NAUGACHIA District- Bhagalpur

Rahul Yadav S/O Kailash Yadav @ Faishan Yadav @ Faison Yadav R/O Vill.-
Latra, P.S.- Gopalpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv

For the Opposite Party/s : Mr.Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Naugachia P.S Case No. 228/2019 registered for the offences punishable under Sections 323, 341, 307, 386, 387/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, petitioner had demanded ransom from the petitioner and threatened to kill him if not paid.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner's name has been figured by the confessional statement of the co-accused namely Dilip Kumar and Gautam Kumar. That the petitioner was neither apprehended on spot nor any sort of recovery has been made from his



conscious possession. He further submits that the other accused persons whose name has been transpired in this case has already granted bail by the lower court itself and one of the co-accused has been granted anticipatory bail by this Court vide order dated 02.07.2020 passed in Cr. Misc. No. 12816 of 2020. It is also submitted that petitioner is in judicial custody since 09.09.2024 and possesses twelve antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 20.11.2024, it appears that petitioner is not named in the FIR as the FIR has been lodged against unknown accused persons and considering the fact that one of the co-accused namely Shiv Shankar has already been granted bail by this Court, the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Second Additional and Sessions Judge, Naugachia, Bhagalpur in connection with Session Trial No. 611A/2021 arising out of Naugachia P.S Case No. 228/2019.

(Ramesh Chand Malviya, J)

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