

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48524 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- LAKHISARAI District- Lakhisarai

Dularchand Yadav, S/o- Gongu Yadav @ Jainand Yadav, Resident of
Murwriya, P.S.- Pipariya, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Praveen Kumar Agrawal, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Mayank Vilochan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection
with Lakhisarai P.S. Case No.45 of 2025 registered for the
offences punishable under Sections 137(2), 140(1), 61(2)
read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short
'B.N.S.').

3. The accused/petitioner is named in the FIR and is
in custody since 14.02.2025.

4. Allegation against the petitioner is to kidnap his
own uncle along with other co-accused persons. The
occurrence alleged to be arising out of land dispute.



5. It is submitted by learned counsel that the petitioner is the nephew of the victim and interestingly the kidnapped uncle was released after two hours from alleged captivity. It is submitted that the alleged occurrence took place in the background of land dispute between the parties. While concluding argument, it is submitted that similarly situated co-accused persons namely, Rahul Manjhi and Ram Bhawan Kumar have already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.22380 of 2025 and Cr. Misc. No.33584 of 2025 dated 01.09.2025 and, therefore, on the ground of parity, the petitioner also deserves bail and moreover investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner claimed clean antecedent.

6. Heard Mr. Jharkhandi Upadhyay, learned APP for the State. Mr. Mayank Bilochan, learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioner along with other co-accused actively participated in the occurrence, as it transpires from the



statement of victim as recorded under Section 183 of the
Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

7. In view of aforesaid factual submissions and by
taking note of fact as similarly situated co-accused persons
have already granted bail by one of the learned co-ordinate
Bench of this Court, coupled with the fact that investigation of
this case is already completed, where petitioner remains in
custody since 14.02.2025, accordingly, the petitioner, above-
named, is directed to be released on bail furnishing bail bond
of Rs.10,000/- (Rupees Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Lakhisarai in connection with Lakhisarai
P.S. Case No.45 of 2025, subject to the conditions as laid
down under Section 437(3) of the Code of Criminal Procedure
(for short 'CrPC')/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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