

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22305 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -ALIPUR District- GAYA

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Kamalesh Yadav @ Rajan Jee, S/o Sri Gudani Yadav, Resident of Village-Harpur, P.S.- Parsabigha, Dist.- Jahanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-06-2017 Heard both sides.

The petitioner seeks bail in Alipur P.S. Case No. 14/2016, registered for the offences punishable under Sections 386, 387, 388 and 34 of the Indian Penal Code and section 17 of the C.L.A. Act.

The informant informed the police that Maoist extremists came at his brick-kiln and snatched mobiles and demanded extortion. They also threatened to kill and demolish the brick-kiln. Rajballabh Yadav assured to hand over the extortion money. Rajballabh informed the police that petitioner Kamalesh Yadav @ Rajan Jee and Raj Kumar Singh @ Santosh Jee came to take extortion money and the police laid trap to arrest the accused and the both the accused were apprehended.



Learned counsel for the petitioner submits that no offence under Section 386 or 387 of the Indian Penal Code is made out because no extortion was paid. Prayer for bail of the petitioner was earlier rejected vide order dated 12.07.2016 passed in Cr. Misc. 26464/2016. The petitioner is in jail since 04.02.2016, but the trial has not yet been concluded.

It appears that the petitioner has got criminal antecedent and he appears to be a member of Maoist extremists. The petitioner was apprehended while he had come to collect extortion. The petitioner has got criminal antecedent although, he is on bail in all the cases.

Considering the facts aforesaid and the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of this order. If the trial is not concluded, the petitioner may renew prayer for his bail.

(Prabhat Kumar Jha, J.)

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