

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22676 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -MAHESI District- SAHARSA

=====

Prabhakar Yadav S/o Sakel Deo Yadav R/o Vill Sirbar, P.S. Mahesi, Dist, Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 16.02.2017 in connection with Mahesi P.S. Case No. 116 of 2016 registered for the offence punishable under Sections 341, 323, 379, 384 and 386/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he and his brother runs a grocery shop and the petitioner always used to threaten and demand rangdari. On 19.08.2016, petitioner along with 4-5 persons entered in the shop of the informant and forcibly took Rs. 15,000/- and also threatened and demanded rangdari of Rs. five lacs.



It has been submitted by the learned counsel for the petitioner that he is innocent and because both the sides are inimical to each other, false allegations have been made. He submits that First Information Report has been lodged after much delay and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in earlier three more cases.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Mahesi P.S. Case No. 116 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that if in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

