

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18141 of 2018

Arising Out of PS.Case No. -180 Year- 2017 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Radheshyam Kumar Yadav @ Radheshyam Yadav @ Radheshyam
Pd.Yadav, S/o Patiram Prasad Yadav, Resident of village – Mathiya
Bhopat, P.S.-Lakhaura, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

3 17-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Chiraiya P.S. Case No.
180 of 2017 registered under Section 386 of the Indian Penal
Code.

Rs. 25 lacs is said to have been demanded as
extortion money under the threat of dire consequence from the
informant by telephonic calls as well as by sending SMS by
mobile no. 9006157952 by the person claiming to be shooter of
Rahul Singh. During the course of investigation, the said mobile
was found to be belonging to Anita Devi. Petitioner had talked
with Anita Devi on the aforesaid mobile on the date of occurrence.

It is submitted by learned counsel for the petitioner



that the petitioner is quite innocent and has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to political rivalry as he happens to be former MLA of the constituency. No incriminating article has been recovered from the conscious physical possession of the petitioner. Mere talk of the petitioner with Anita Devi on her mobile on the date of occurrence has no potential to indicate complicity of the petitioner in the occurrence. Barring the aforesaid fact, there is nothing in the record indicating the complicity of the petitioner in the occurrence. Police has recorded the confessional statement of the petitioner under coercion/threat. The petitioner has been languishing in custody since 29.06.2017. Though six more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sikarahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 180 of 2017.

(Prakash Chandra Jaiswal, J)

Mishra/-

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

