

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24572 of 2019

Arising Out of PS. Case No.-697 Year-2017 Thana- SITAMARHI District- Sitamarhi

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Gautam Kumar @ Golu, Son of Satendra Prasad Yadav, Resident of Village - Chanpar, P.S.- Nanpur, District- Sitamarhi at present residing with his Grandfather (name) - Bishwanath Prasad Yadav @ Dealar Sahab, Resident of Village - Kharka, P.S. and District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate.
For the Informant	:	Mr. N.K. Agrawal, Sr. Advocate.
For the State	:	Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sitamarhi (Punaura O.P.) P.S. Case No. 697 of 2017 registered under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 01.08.2017, informant, Rajeev Kumar @ Munna Yadav along with his villagers, Rajesh Rai, Jitendra Mahto, Bharat Rai and Bsaruddin Ansari were returning to their village boarding in Jeep. In the way, when they crossed the bridge situated at southern side of Kharka Middle School, a motorcycle took over his jeep and the motorcycle



rider fired upon him with intention to kill him, on which, informant stopped his Jeep and tried to identify the motorcycle rider and the registration number of the motorcycle. The motorcycle rider also stopped the motorcycle and three persons sitting on motorcycle approached towards his jeep. When the informant raised alarm then all three persons succeeded to flee away with the motorcycle due to that reason, he could not see the registration number of the motorcycle. The informant gave information about the aforesaid occurrence from his mobile to Superintendent of Police and the concerned Police Station. The informant raised suspicion that earlier on 31.07.2017, when informant opened the shutter of his office, he found an envelop and when he opened the same, he saw a hand written letter of the Secretary, "Prahar" of North-West Zonal Committee of Bha.K.Pa. Maobadi, by which, Rs.25,00,000/- was demanded to him as ransom giving threatening of dire consequences. Informant further alleged that two months prior to this occurrence, the lease holder of State owned pond was fishing in the pond and also selling the fish. On seeing the same, informant, too, went there and purchased 2 Kg fish and at that time, the petitioner along with 3-4 persons came there and asked for 5 Kg fish as ransom but the lease holder denied then he was



abused and misbehaved by the petitioner. When the informant made objection and asked the petitioner to let him purchased the fish then petitioner started to abuse and threaten him for dire consequences.

Learned counsel for the petitioner submits that due to earlier dispute, petitioner has falsely been implicated in this case mere on suspicion and petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi (Punaura O.P.) P.S. Case No. 697 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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