

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62425 of 2018

Arising Out of PS. Case No.-108 Year-2015 Thana- BELHAR District- Banka

Mansingh Yadav, Son of Awadhesh Yadav, Resident of Village- Ranga, P.S. Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 31.03.2018 in a case registered for the offences punishable under Sections 147, 148, 149, 387, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act. Subsequently, sections 16, 17, 18, 19, 20, 21, 22 of the Criminal Law Amendment Act and Sections 9(x)/13 of Unlawful (Prevention) Activities Act were also added.

It is alleged that on 29.05.2015 at about 9.00 P.M., nine criminals came on three motorcycles and started demanding Rupees One Lakh as extortion from the various shop keepers and they threatened to arrange the extortion amount by 01.06.2015. It is further alleged that on 01.06.2015, they again



came for taking the money whereupon all the shop keepers assembled and informed the police about the said incident and when the police chased the criminals all of them escaped from the scene, leading to registration of FIR against four named and 5-6 unknown accused persons. The petitioner was not named in the FIR, but his name sprang up during investigation on the confession of co-accused Indradeo Yadav.

It is submitted by learned counsel for the petitioner that apart from the confession of the co-accused Indradeo Yadav, there is nothing against the petitioner. The petitioner is accused in other case in which he is on bail, but statement to that effect has not been made in the petition. The learned Court below is expected to verify the same. It is further submitted that the FIR named co-accused Bachandeo Yadav has been granted bail by co-ordinate Bench of this Court vide order dated 11.04.2018 passed in Cr. Misc. No. 15185 of 2018 and other co-accused Prakash Yadav, who is not named in the FIR, has been granted bail vide order dated 21.09.2017 passed in Cr. Misc. No. 41589 of 2017.

Learned APP submits that the petitioner's name sprang up in the confession of co-accused.

Considering the accusation based on confession of co-



accused Indradeo Yadav and petitioner being not put on TIP till date, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 108 of 2015.

(Dinesh Kumar Singh, J)

DKS/-

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

