

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7761 of 2020

Arising Out of PS. Case No.-68 Year-2019 Thana- BAGENGOLA District- Buxar

=====

AJIT KUMAR YADAV @ AJIT SINGH @ AJIT KUMAR Son of Suman
Yadav Resident of Village - Bagen, P.S.- Bagen Gola, Dist.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar Singh @ Ajay Kumar Yadav Son of Late Giriwal Singh
Resident of Village - Bacodhi Tola Chhapara, P.S.- Bagen Gola, Dist.-
Buxar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav
For the Opposite Party/s : Mr.Nityanand

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-06-2020 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Bagen Gola PS case no. 68 of 2019
registered for the offences punishable under Sections 341, 323,
448, 386, 504, 506/34 of Indian Penal Code and 27 of Arms Act.

The case of the prosecution in brief is that the
complainant is stated to have purchased a land at mauza Bagen
by a registered sale deed on 15.11.2017 in the name of his wife.



Lateron, when he started working on his purchased land, the accused persons including the petitioner herein demanded extortion money from him stating that nobody dares to purchase land in the area without the permission of the accused persons nor anyone can start construction without paying extortion money. It is further alleged that the accused persons had demanded a sum of Rs. 1 lac from the complainant. Subsequently, on 29.08.2019, when the complainant and the informant were erecting a shed on his land, the accused persons variously armed, came there and stopped the work by force, whereafter the co-accused person namely Suman Yadav had pointed pistol on the chest of the informant and other accused persons had made firing as also had taken away a sum of Rs. 20,000/-.

The learned counsel for the petitioner submits that as far as the petitioner is concerned, he is not having any complicity in the matter and though, he is an accused in one other case but he is on bail in the said case. It is further submitted that the petitioner is innocent and has been falsely implicated in the present case and the fact is that he is the son of co-accused person namely Suman Yadav who is said to have been the main perpetrator of crime, hence there is no



complicity of the petitioner in the alleged occurrence. It is further submitted that the informant has received no injury, hence the entire occurrence is cooked up and fabricated.

The learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the fact that no specific allegation of any sort of overt act has been levelled as against the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Bagen Gola PS case no. 68 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

