

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6421 of 2020

Arising Out of PS. Case No.-28 Year-2019 Thana- BISFI District- Madhubani

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1. Pawan Yadav, aged about 45 years, Male, Son of Late Munshi Yadav
 2. Ranjeet Yadav @ Ranjeet Kumar Yadav, aged about 24 years, Male, Son of Pawan Yadav
 3. Subhchandra Kamat @ Sundar Kamat, aged about 25 years, Male, Son of Bachha Babu Kamat
 4. Gopal Kamat, aged about 23 years, Male, Son of Bachcha Babu Kamat

All residents of Village - Jafra, P.S. - Bisfi (O.P. Patauna), Distt - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the State	:	Mr. Bharat Lal, APP
For the Informant	:	Mr. Nilesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioners; learned APP for the State and learned counsel for the informant, who has *suo motu* appeared.

2. The petitioners apprehend arrest in connection with Bisfi PS Case No. 28 of 2019 dated 07.02.2019 (GR No. 80 of 2019) instituted under Sections 147/ 148/ 149/ 341/ 323 / 379/ 384/ 357 /504 /506 of the Indian Penal Code.

3. The allegation against the petitioners is of dragging the informant and demanding extortion and also



assault.

4. Learned counsel for the petitioners submitted that first of all, the FIR has been lodged on the basis of the statement of the informant from jail which he made on 22.01.2019 relating to an incident of 15.11.2018. Learned counsel submitted that the informant is a local strongman and there was dispute with regard to execution of scheme as the petitioner no. 1 is the husband of the sitting Mukhiya of the area. Learned counsel submitted that an incident occurred on 28.12.2018 in which the informant had fired which hit the petitioner no. 1, for which the wife of the petitioner no. 1 had lodged Bisfi PS Case No. 342 of 2018 dated 30.12.2018 under Sections 324/307/120(B) of the Indian Penal Code and 27 of the Arms Act. Learned counsel submitted that the petitioners no. 1, 2 and 4 have no other criminal antecedent and petitioner no. 3 is accused only in Bisfi (O.P. Patauna) PS Case No. 287 of 2018 under Sections 409/420/466/467/468/34 of the Indian Penal Code in which he is on bail.

5. Learned APP submitted that there is allegation of assault and dragging of the informant.

6. Learned counsel for the informant submitted that actually it is the petitioners who are the local strongmen and



they had repeatedly been targeting the informant which was also reported in the local newspapers. However, on a direct query of the Court as to why no complaint was made about the incident of 15.11.2018 and only after more than two months such petition was filed on 22.01.2019, learned counsel could not give any satisfactory reply.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the ACJM, Benipatti, Madhubani in Bisfi PS Case No. 28 of 2019 (GR No. 80 of 2019), subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. One of the bailors shall be a close relative of the petitioners. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate



in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

9. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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