

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25108 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- NARPATGANJ District- Araria

1. OM PRAKASH YADAV S/o Kewal Yadav, Resident of Village-Bela Ward no.8, Police Station-Narpatganj (Basmatiya), District-Araria.
2. Kuseshwar Yadav @ Kuseshwar Kumar Yadav S/o Kewal Yadav, Resident of Village-Bela Ward no.8, Police Station-Narpatganj (Basmatiya), District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-10-2020 Heard both sides through Video Conferencing.

Petitioners seek bail in Narpatganj Basmatiya P.S.

Case No.28 of 2020 registered under Sections 147, 148, 149, 341, 342, 323, 324, 307, 354B, 448, 504, 364A, 365 and 379 of the IPC and under Section 27 of the Arms Act.

The informant alleged that on 22.01.2020 he heard shouting as Save-Save and on such, he went near the house of Kewal Yadav. The informant saw that Kewal Yadav, Om Prakash Yadav (petitioner no.1), Kuseshwar Yadav (petitioner no.2), Shekhar Yadav, Rahul Kumar and Dilip Kumar Mehta confined two Nepali boys and they were assaulting them. The accused persons seeing the informant, began to abuse him. They



also assaulted the informant and his wife. The accused persons were demanding extortion from the parents of the abducted boys.

Learned counsel for the petitioners submits that the petitioners are innocent and they have, in fact, committed no offence. The informant is a co-villager of the petitioners and on account of some village politics, the petitioners have falsely been implicated in the case, but it appears from perusal of the statements of the victims, who disclosed their names as Sujan Magar and Raju Bajgai. They also disclosed that the accused persons had talked for purchase of a motorcycle. The accused persons called the victims to their village and the accused persons snatched their money. They assaulted the victims and confined them in a room. The accused persons also demanded extortion. The police came and rescued the victims. The petitioners have got criminal antecedent.

Having considered the facts aforesaid and the nature of allegations made against the petitioners and the fact that the petitioners have got criminal antecedent, I am not inclined to enlarge the petitioners on bail at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to



day basis and conclude the same within nine months from the date of receipt of a copy of this order. If the trial is not concluded within nine months, the petitioners, if so advised, may renew their prayer for bail.

(Prabhat Kumar Jha, J)

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