

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14527 of 2021**

Arising Out of PS. Case No.-228 Year-2019 Thana- UCHKAGAON District- Gopalganj

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PRADEEP YADAV @ PRADEEP KUMAR YADAV Son of Birendra Yadav
@ Virendra Yadav Resident of Village- Distouli, P.S.- Khampar, District-
Deoria, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-06-2021 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within four weeks after start

of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in
connection with Uchkagaon P.S. Case No.228/2019 registered for
the offences punishable under Section 387 of the Indian Penal
Code.

The prosecution case in brief is that the informant
Kashim Ansari submitted a written report to the officer in-charge
of Uchkagaon police station stating therein that he is engaged in
business of stone at Hathwa Rack Pawant and on 3.09.2019 at



about 3.15 pm he received a call on his mobile no.8002943620 from phone no.75708972297 and caller was identified as Vishal Singh and he demanded Rs. 10 lacs and also threatened him of dire consequences, if demand is not fulfilled.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Learned counsel submits that the informant has specifically named the co-accused Vishal Singh as the person who had given him a call on his mobile and has demanded rangdari.

Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused and save and except the confessional statement no other material is there against the petitioner. It is submitted that the petitioner is in custody in connection with this case since 05.02.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in the present case the informant has specifically named the co-accused Vishal Singh as the person who had given him a call on his mobile and has demanded rangdari, further considering that the name of the petitioner has transpired in the confessional statement of the co-accused and save and except the confessional statement



no other material is there against the petitioner and the learned Sessions Judge has not recorded any other material against the petitioner in the impugned order, submission being that prior to 26.10.2019 the petitioner had got no criminal antecedent but thereafter he has been implicated in altogether eight cases, in some of the cases the petitioner has got bail as stated in paragraph '3' and in some of the cases it is the submission of learned counsel for the petitioner that the petitioner is taking steps to file appropriate application for bail, in any case it is the submission of learned counsel for the petitioner that the petitioner is in custody in connection with this case since 05.02.2020, investigation against him is complete but the trial is not likely to be concluded in near future, considering all these aspects of the matter, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Gopalganj in connection with Uchkagaon P.S. Case No.228/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the



commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

