

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37678 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- KURSAILA District- Katihar

Sumit Yadav, Age 26 Years, Male, Son of late Nepali Yadav, Resident of Kataria, P.S. Kursela, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 07-04-2021 Heard Mr. Yogesh Chandra Verma, the learned Senior Counsel for the petitioner and Mr. Akshay Lal Pandit, the learned Additional P.P. through video conferencing.

The petitioner seeks bail in Kursela P.S. Case No.90 of 2020, registered under Sections 384, 386 and 307 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant, a police official, after having got secret information that some criminals were demanding extortion from the farmers who had gone in Baghmara Diara for harvesting crops and they were firing, the informant and other police officials went there and heard the sound of firing. The villagers came to the informant and disclosed that Arjun Yadav, Maharana Yadav and the petitioner and others made



indiscriminate firing to terrorize the farmers to give extortion at the time of harvesting the crops.

Mr. Yogesh Chandra Verma, the learned Senior Counsel for the petitioner submits that the entire story is concocted and false. No occurrence as alleged by the informant has taken place. No offence under Sections 384 and 386 of the Indian Penal Code is made out as no amount is delivered. It is further submitted that the informant has falsely implicated the petitioner in the case, but it appears from perusal of the case diary that many farmers disclosed that the petitioner and others had come to extort the farmers at the time of harvesting of crops. Many empty cartridges were recovered. The petitioner has got criminal antecedents and he is accused in as many as four other criminal cases registered under different sections of the Indian Penal Code and Arms Act.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected at this stage.

(Prabhat Kumar Jha, J)

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