

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34232 of 2021**

Arising Out of PS. Case No.-468 Year-2020 Thana- BARHARA District- Bhojpur

THAKUR YADAV S/O LAL BABU YADAV RESIDENT OF VILLAGE
AND POST OFFICE SARIYA, P.S BARHARA, DISTRICT-BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-01-2022 Heard Mr. Abhay Kumar Singh, learned counsel for
the petitioner and Md. Sufyan, learned Additional Public
Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Barhara (Krishnagadh) P.S. Case No. 468 of 2020 registered for
the offences punishable under Sections 387 and 506 of the
Indian Penal Code 1860.

The allegation against the petitioner is that the
petitioner allegedly called on the Mobile of the informant and
threatened him not to contest the election and also demanded a
sum of Rs.5,00,000/- as extortion amount.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to political
rivalry and he has not committed any offence in the manner



alleged. Learned counsel further submits that the caller has disclosed his name as Thakur Yadav i.e. petitioner and also disclosed that he was talking from Beur Jail whereas on the date of occurrence the petitioner was not in custody. He also submits that extortion amount was not paid to the petitioner. The petitioner is in custody since 24.10.2020 and charge sheet has already been submitted.

On the other hand, learned counsel for the State submits that the voice of the petitioner was recorded by the informant on his Mobile Phone and it would be evident from perusal of the impugned order, which has referred to paragraph-23 of the case diary that C.D. was produced before the Investigating Officer during the course of investigation and he has heard the said C.D. in which the allegation of the petitioner has been found to be true.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 24.10.2020, charge sheet has already been submitted and the petitioner is not owner of the Mobile from which the call was made to the informant threatening him for amount of extortion, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Arah, in connection with Barhara (Krishnagadh) P.S. Case No. 468 of 2020 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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