

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34469 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- SHERGHATI District- Gaya

AMARJEET YADAV @ AMARJEET KUMAR YADAV Son of Late
Ramswarup Yadav Resident of Village- Kadarapur, P.S.- Kothi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 36681 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- SHERGHATI District- Gaya

Bhola Yadav @ Amarjeet Kumar @ Babu @ Guru Jee S/O Bisheshwar Yadav
Village Chauritand, P.S-Dumaria, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34469 of 2021)

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Adv

For the Opposite Party/s : Mr.Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 36681 of 2021)

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-02-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State in both the applications.

The petitioners seek bail in connection with Sherghati
P.S.Case No. 230 of 2020 registered for the offence under
Section 384 of the Indian Penal Code.

This FIR has been lodged by informant Shrawan



Prasad Keshri against Vijay, holder of the mobile No.8409009568 alleging therein that on 13.05.2020 he received a call a person named Vijay on his mobile No.8409009568 from mobile No.9931626610 and the person called, have threatened him and on 22.05.2020 he demanded Rs.5 lakhs and told him that he formed a group called Nav Nirman Bharat Sangathan and if he will not fulfill his demand of money he will kill him.

Learned counsel appearing for the petitioners submits that the petitioners are not named in the FIR. They have falsely been implicated in the present case only on the basis of confessional statement of co-accused, namely, Ashok @ Vijay. He further submits that nothing has been recovered from conscious possession of petitioners and the police after investigation, submitted chargesheet against the petitioners. Petitioner-Amarjeet Yadav @ Amarjeet Kumar Yadav is in custody since 13.01.2021 and petitioner-Bhola Yadav @ Amarjeet Kumar @ Babu @ Guru Jee is in custody since 12.11.2020.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that petitioner-Amarjeet Yadav @ Amarjeet Kumar Yadav carries seven more cases other than the present one and petitioner-Bhola Yadav @



Amarjeet Kumar @ Babu @ Guru Jee carries six more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya (petitioner-Amarjeet Yadav @ Amarjeet Kumar Yadav)/learned Chief Judicial Magistrate, Gaya (petitioner-Bhola Yadav @ Amarjeet Kumar @ Babu @ Guru Jee) in connection with Sherghati P.S.Case No. 230 of 2020 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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