

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31429 of 2022

Arising Out of PS. Case No.-397 Year-2019 Thana- AMARPUR District- Banka

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SATTAN YADAV @ ANIL YADAV Son of Sahdeo Yadav Resident of
Village-Hathiya Pathar, Police Station-Fullidumar, District-Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 385,387 of the Indian Penal
Code and Sections 13 and 17 of U.A.P.A. Act.

As per prosecution case, a road between Rampur to
Ramsaraiya was being developed by the informant Manoj
Kumar Singh under Arvind Singh Construction Pvt.Ltd. for
which the informant was threatened by unknown on his mobile
No.6207826947 from mobile Nos.9892175933 and 8583872435
as the vehicles used in construction work would be set on fire if



he did not pay Rs.20 lacs as levy.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. Further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Bajrangi Yadav. Further submits that the said mobile phone does not belong to the petitioner rather the same belongs to co-accused Bajrangi Yadav and except confessional statement of co-accused Bajrangi Yadav, no material has come, during investigation, against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.03.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amarpur (Fullidumar) P.S. Case No. 397 of 2019, with the following



conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 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.

(Rajesh Kumar Verma, J)

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