

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44182 of 2021**

Arising Out of PS. Case No.-225 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.- Khampur, 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, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 21-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 05.02.2020,
seeks regular bail in connection with Uchakagaon P.S. Case No.
225 of 2019, for the offence punishable under Sections 387/34
of the Indian Penal Code.

The prosecution case, in brief, is that on 27.08.2019 at
2.08 P.M. the informant received phone call in which caller
introduced himself as Vishal Singh and demanded ransom of Rs.
5,00,000/- with threatening of dire consequences. Thereafter, on
07.09.2019, the said Vishal Singh again demanded ransom and
threatened to kill him.



Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the F.I.R. The name of the petitioner surfaced in this case on the basis of confessional statement of Vishal Singh and Shambhu Singh. In paragraph No.3 he has made specific statement that prior to 26.10.2019 petitioner had got clean antecedent and thereafter he has been made accused in several cases. Initially, he has been remanded in Mirganj P.S. Case No. 216 of 2019 and on 05.02.2020 he has been remanded in this case, in such circumstances, the allegation of offence punishable under Section 387 of the Indian Penal Code is not made out against the petitioner. The petitioner is in custody since 05.02.2020.

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

Considering the aforementioned facts and circumstances of the case and considering the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-IX, Gopalganj in connection with Uchakagaon P.S. Case No. 225 of 2019, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The Court below is directed to verify the criminal antecedent of the petitioner and if the petitioner is found accused in any other case, as mentioned in paragraph No.3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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