

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64210 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- KURTHA District- Jehanabad

SHANKAR YADAV Son of Kamla Yadav Resident of Village - Bhikhanpur,
P.s.- Koch, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-03-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 385, 387 of the Indian Penal
Code read with Sections 11 and 13 of the Unlawful Activities
Prevention Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 13.08.2021, charge-sheet has been
submitted and has antecedent of four cases.

The informant alleges that he received extortion call from
an unknown mobile no. 8541802628 on his mobile and the caller
disclosed that he is a member of Moist cadre and asked to send the
extortion amount to Kinjer or Ataulah, failing which he will be
killed.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and it absolutely does not stand to reason that a person would call from his mobile and seek extortion and thus create an evidence against him. It is further submitted that if what has been alleged in the FIR is true then the FIR does not disclose the extortion amount which also casts aspersion on the prosecution story that as to whether extortion was demanded or not. Learned counsel further submits that merely because petitioner has antecedent, as such, he has been falsely implicated in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 Kurtha P.S. Case No. 06 of 2021.

(Satyavrat Verma, J)

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