

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66695 of 2021**

Arising Out of PS. Case No.-264 Year-2014 Thana- SHERGHATI District- Gaya

Arun Kumar Yadav @ Arun Yadav @ Singham, Son of Amresh Yadav,
Resident of Village- Kurid, P.S.- Wasist Nagar Jori, District- Chatra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N. A. Shamsi, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sherghati P.S. Case No.264 of 2014 registered for the offences punishable under Section 387 of the Indian Penal Code, Section 17 of the C.L.A. Act and Sections 13, 16, 17, 18, 20, 38, 39 and 40 of the U.A.P. Act. He is in custody since 30.07.2021. The petitioner has got three criminal antecedents, but it is stated that the petitioner has been released on bail in all the three cases.

Learned counsel for the petitioner submits that the



FIR in this case was lodged in the year 2014 alleging that there was a demand of rangdari by unknown miscreants. During the period when rangdari was demanded the petitioner was in custody and he remained in judicial custody from 26.02.2014 to 12.10.2016 in connection with Chatra (Sadar) P.S. Case No.21 of 2013. During this period of two years eight months, the investigating agency did not find any material against the petitioner so as to take him on remand in the present case but after the petitioner was released on bail in those cases, after about 7 years of lodging of the FIR, the petitioner has been arrested.

Learned counsel submits that at no point of time the petitioner was ever called upon to participate in any investigation etc. in connection with the present case. In any case, he has remained in custody for about ten months and investigation against him is complete, hence, he deserves privilege of bail.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, but considering the aforementioned submissions particularly that for a period of two years eight months the petitioner was in custody but during this period the investigating agency did not find any material to take



him on remand in connection with the present case and at no point of time he was called upon to participate in course of investigation of this case but has been arrested after 7 years in connection with this case, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Sherghati P.S. Case No.264 of 2014 (G.R.No.1298 of 2014), subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

