

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70531 of 2022

Arising Out of PS. Case No.-127 Year-2020 Thana- BARBIGHA District- Sheikhpura

1. RAMANUJ YADAV S/o Late Sahdev Yadav R/v- Mafo, P.S.- Mehush and District- Sheikhpura
2. RANJIT YADAV S/o Ramanuj Yadav R/v- Mafo, P.S.- Mehush and District- Sheikhpura
3. BHOLA YADAV @ INDRAJEET KUMAR @ Bhole Yadav S/o Ramanuj Yadav R/v- Mafo, P.S.- Mehush and District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 386, 387 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he is owner of a truck and works as transporter of stone chips, further the petitioners were demanding extortion of Rs. 2,00,000/-, but he refused, it is next alleged that on 06.05.2020 while his truck was going to Muzaffarpur, the same



was forcibly stopped by the petitioners and was parked at their in-laws place, it is further alleged that he had purchased the truck on finance from Tata Motors and pays monthly installment of Rs. 18,000/-, further his truck was laden with stone and thus would get damaged, if it remains parked idle.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of the F.I.R, it would manifest that the date of occurrence is 06.05.2020 and the F.I.R. came to be instituted on 02.06.2020 i.e. after a delay of nearly more than 25 days, it is next submitted that it absolutely does not stand to reason that when informant was going, his truck was forcibly taken away by the petitioners on 06.05.2022 then why the present F.I.R. was instituted after such delay, it is next submitted that from perusal of Annexure-2, it would manifest that petitioners had purchased the said truck from the informant and on account of dispute the truck was lying with them.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that there is inordinate delay in instituting the F.I.R, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barbigha P.S. Case No. 127 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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