

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10998 of 2023

Arising Out of PS. Case No.-93 Year-2020 Thana- GHOSWARI District- Patna

Vikki Yadav @ Ranjeet Yadav, Son of Late Bashishth Yadav, R/O Village-Gosai, Gaon, P.S.- Ghoswari, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-05-2023 Heard Mr. Ashok Kumar Kashyap, learned counsel
for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with S.Tr. No. 1364 of 2022, arising out of Ghoswari P.S. Case No. 93 of 2020, registered for the offences punishable under Sections 341, 384, 385, 323, 447, 307, 504 and 506/34 of the Indian Penal Code.

It is alleged that on 28.07.2020, all the accused persons, including the petitioner, came to the informant's house armed with Iron rod and Lathi and demanded Rs.20,00,000/- (Twenty lakh) as Rangdari. When the same was refused, allegedly co-accused Diwakar Yadav assaulted the informant's father over his head, due to which he sustained injury. Further allegation has been levelled that other accused persons have also



assaulted the mother of the informant.

Learned counsel appearing on behalf of the petitioner submits that the occurrence took place on 28.07.2020, and the F.I.R. has been instituted on 29.07.2020, but the same has been received in the Court on 14.08.2020, after a delay of 15 days, which create suspicion on the entire prosecution case. He next submitted that there is no specific allegation against the petitioner either for demand of Rangdari or for assault and moreover the petitioner is in custody since 14.07.2022.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is carrying five criminal antecedent over his head.

Regard being had to the submissions made on behalf of the parties and considering the general and omnibus nature of allegation and the fact that the petitioner is on bail in all other criminal cases, besides the delay in reaching of the F.I.R. to the jurisdictional Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Barh, Patna in connection with S.Tr. No. 1364 of 2022, arising out of Ghoswari P.S. Case No. 93 of 2020, subject to the condition that



one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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