

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23935 of 2023**

Arising Out of PS. Case No.-368 Year-2022 Thana- PARASBIGHA District- Jehanabad

Shankar Yadav @ Baba @ Pandit Ji S/O Kamla Yadav @ Kamala Yadav
Resident of Village- Bhikhanpur, P.S.- Koch, District- 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. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 17-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
24.12.2022 in connection with Parasbigha P.S. Case No. 368 of
2022, F.I.R. dated 21.12.2022 for the offences punishable under
Sections 385, 504 and 506 of the Indian Penal Code but the
police has submitted charge sheet under Section 384, 386 and
379 of the Indian Penal Code.

According to prosecution case, some unknown
miscreants are said to have demanded levy amount of Rs. 2
lakhs from the informant. It is further alleged that on protest,
those miscreants threaten him for dire consequences.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Harsh Raj. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner.

The learned Additional Public Prosecutor on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has been identified by the informant and apart from the aforesaid, the petitioner has also confessed his guilt in the present occurrence and it has come during investigation that the petitioner has received the amount in question.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Parasbigha P.S. Case No. 368 of 2022 pending in the court of learned Judicial Magistrate 1st Class, Jehanabad.

Prayer is refused.

(Rajesh Kumar Verma, J)

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