

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27941 of 2023

Arising Out of PS. Case No.-105 Year-2020 Thana- GHOSWARI District- Patna

DIWAKAR YADAV Son of Sri Basudeo Yadav @ Bhushan Yadav Resident
of Village - Gosaigaon, P.S.- Ghoswari, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mr. Ritwik Thakur, Adv.
	:	Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Anil Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Ghoswari P.S. Case No. 105 of 2020 dated 18.08.2020 registered for the offences punishable u/s 341, 323, 307, 385, 504 and 506 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-accused persons armed with pistol, lathi and danda came to the



informant's house and started abusing and assaulting the informant and opened fire which hit the informant's wall and they also demanded Rs. five lakhs as extortion money.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner and the informant are the co-villagers and there is land dispute between the parties. There is general and omnibus allegation against the petitioner. No any arms has been recovered from the conscious possession of the petitioner. The petitioner is also accused in 42 other criminal cases and out of which the petitioner was acquitted in 11 criminal cases and also he is on bail in 25 cases as stated in para 3 of the bail petition. The petitioner is in custody since 15.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Barh, Patna in connection with Ghoswari P.S. Case No. 105 of 2020, with the condition:-



1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

