

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31538 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- VISHNUPAD District- Gaya

Naresh Yadav Son of Late Mathura Yadav Resident of Village- Maranpur, P
S-Vishunpad, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with
Vishnupad P.S. Case No. 174 of 2022 registered for the offence
under Sections 341, 323, 384, 504, 506, 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.03.2023.

The allegation against the petitioner is to advance
threat to kill informant and others, if fail to pay Rs. 60,00,000/-
(Rupees Sixty Lac) as extortion money as to continue the work
of construction on a plot which was purchased by informant in
favour of his wife.

Learned counsel appearing on behalf of the petitioner



submitted that the petitioner implicated falsely with present case out of land dispute for which a title suit is pending bearing no. 212/2014 before the Court below. It is submitted that with same set of allegation other named co-accused persons were granted anticipatory bail through Cr. Misc. No. 73336 of 2022 vide dated 24.03.2023 but as petitioner apprehended during pendency of aforesaid anticipatory bail petition, the present prayer for regular bail is before this court. It is submitted that the allegation to demand extortion money is appearing very much general and omnibus against this petitioner. While concluding the argument, it has been submitted that petitioner found involved in eight more criminal cases where in three cases as mentioned in paragraph no. 3 of present bail petition, he has already been acquitted, whereas in the rest of five cases he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of the nature of general and omnibus allegation as regard to demand of extortion money in the background of longstanding land dispute, where title suit is



pending between the parties coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 19.03.2023, accordingly, the petitioner, above named, is directed to be released on bail in connection with Vishnupad P.S. Case No. 174 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-II, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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