

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35102 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- KHAIRA District- Jamui

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1. UPENDRA YADAV @ UPENDRA KUMAR S/O DEBU YADAV R/O Village- Kewal Fariyatta, P.S- Khaira, Distt.- Jamui.
 2. Dinesh Yadav S/O Chetan Yadav R/O Village- Kewal Fariyatta, P.S- Khaira, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Prakash, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Khaira P.S. Case No. 506 of 2022, registered for the offence punishable under Sections 341, 323, 384, 506, 504/34 of the Indian Penal Code.

3. The informant was coming to his village, while on his way, it is alleged that he has been accosted by the accused petitioners, armed with pistol, who had threatened and demanded some amount of extortion. Against the petitioner nos. 1 and 2, there is allegation of snatching his watch and gold chain, respectively.



4. Learned counsel for the petitioners submits that the falsity of the allegation is evident from the fact that an alleged occurrence of 20.12.2022 has been reported by the FIR on 26.12.2022. The father of the petitioner was made accused, by father of the informant earlier in complaint case no. 812C of 2017, wherein they were acquitted, and just one month thereafter, they have again been dragged in this case.

5. The learned APP for the State has opposed the prayer for bail.

6. Considering the above submissions and the repeated implication by the same prosecution parties, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Jamui, in connection with Khaira P.S. Case No. 506 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also the following



conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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