

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38741 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- JHAJHA District- Jamui

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MITHU YADAV@MITU YADAV Son of Rameshwar Yadav Resident of
Village - Dehiwara, P.s.- Chandan , Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual Court Proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 121A and 122 of the Indian Penal Code and under Section 17, 18, 19 and 20 of the U.A.P. Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 10.03.2022 and he has antecedent of 2 cases but is on bail.

The informant alleges that on 20.02.2022 at 05:00 PM, six persons came having their face masked and demanded extortion of Rs. 1 Crore and even snatched the mobile of Sanjeev, the Supervisor, of the informant. It is next alleged that thereafter on 23.02.2022 the informant received extortion call



from three different mobile numbers, including the mobile of Sanjeev. It is further alleged that the informant is a contractor and is carrying a time bound project of Road Construction Department, Government of Bihar.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the date of occurrence is 20.02.2022 but the F.I.R. came to be instituted on 28.02.2022. It is also submitted that the informant in order to cover up also alleges that on 23.02.2022, he had received extortion call from three different mobile numbers but thereafter also he did not institute any F.I.R. and finally the F.I.R came to be instituted on 28.02.2022. It is also submitted that during the course of investigation, nothing has come to connect the petitioner with the offence as out of three mobile, one mobile belongs to Sanjeev and with respect to other two mobile numbers, the Investigating Officer was not able to locate the person in whose name those mobile numbers were.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases and in the event, if he is granted bail, he may abscond and then the framing of charge may get delayed.



Considering the submission made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail, however, the petitioner would be at liberty to renew his prayer for bail after framing of charge before the learned Trial Court.

Accordingly, the present bail application stands rejected.

(Satyavrat Verma, J)

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