

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44931 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- SHANKARPUR District- Madhepura

RAKESH KUMAR son of Jitan Yadav @ Jitendra yadav Village- Navtoliya
Shankarpur Ward no-14, Ps- Shankarpur Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Shankarpur P.S. Case No. 20 of 2023 registered for the
offence under Sections 386, 384, 504 and 506 of the Indian
Penal Code and 27 of the Arms Act.

The petitioner along with unknown accused
persons came on four wheeler and entered into the shop of
the informant and pointed pistol upon him and made
demand of Rs. 1,00000/- as ransom and abused him and
forcible took Rs. 25000/- from his pocket and everything has
been recorded in CCTV footage.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that the background of the present case is the transaction of money to the tune of Rs. 50000/- between the petitioner and the informant. In such transaction, the informant has taken the aforesaid amount from the petitioner in business and when the petitioner asked him to return his money, informant has instituted this false and fabricated case of loot and ransom against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 27.03.2023.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has been arrested having possession of loaded pistol and three live cartridges and CCTV footage also disclosed that the petitioner was also involved in the present crime in question and apart from the aforesaid, the petitioner carries four more cases other than the present one.



Considering the facts and circumstances of the case and the rival submission of the parties, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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