

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61779 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- LAXMIPUR District- Jamui

Tapeshwar Yadav @ Sanjay Yadav Son Of Sufal Yadav Village- Maghi Ps-
Laxmipur Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel appearing on behalf of the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.07.2023 in connection with Laxmipur P.S. Case No. 385 of
2022, F.I.R. dated 05.11.2022 for the offences punishable under
Section 387 of the Indian Penal Code.

3. According to prosecution case, petitioner is alleged
to have threatened the informant and demanded Rangdari of
Rs.10,00,000/-.

4. Learned counsel for the petitioner submits that
petitioner is innocent and due to previous political dispute he
has falsely been implicated in the present case. He further
submits that the allegation as alleged in the F.I.R. is false and



fabricated and he has not committed any offence. Further more, the petitioner has neither demanded nor received any Rangdari from the informant and he is the holder of the mobile number in question. He further submits that the CDR/CAF of the mobile suggest that the petitioner is the owner of the mobile but no such Rangdari has been paid to the petitioner by the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 24.07.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and it has come on record during investigation that petitioner is the owner of the mobile in question and he carries five criminal antecedent other than the present one but fairly submits that petitioner is on bail in all the five cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – 2nd, Jamui, in connection with Laxmipur P.S. Case No. 385 of



2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Aditi

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

