

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75228 of 2022

Arising Out of PS. Case No.-192 Year-2022 Thana- VISHNUPAD District- Gaya

1. Jitendra Yadav Son Of Naresh Yadav R/V- Maranpur, Haveli Road, P.S.- Vishnupad, District- Gaya
2. Upendra Yadav @ Upendra Kumar Son Of Naresh Yadav R/V- Maranpur, Haveli Road, P.S.- Vishnupad, District- Gaya
3. Sikandar Yadav Son Of Late Kauleshwar Yadav R/V- Rajapur, P.S.- Bodh Gaya, District- Gaya
4. Mahendra Yadav Son Of Late Kauleshwar Yadav R/V- Rajapur, P.S.- Bodh Gaya, District- Gaya
5. Amir Khan Son Of Lal Mohammad R/V- Mastalipur (Abgila), P.S.- Buniyadganj, District- Gaya Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Bhaskar Shankar, Advocate

For the Opposite Party : Mr.Jharkhandi Upadhyay, Addl Public Prosecutor

for the informant Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-03-2023

Heard learned counsel for the parties.

Petitioners apprehends arrest in a case registered for the offence punishable u/s 384, 379, 427, 323,341, 504, 506, 147, 148, 149 of the IPC.

As per prosecution case, F.I.R. named accused persons including the petitioner, armed with gun came along with JCB machine and demolished the boundary wall and water tank of one Rajmangal Prasad and abused the care taker. They demanded ransom money of Rs.60,00,000/- and threatened to not construct the house. Accused persons committed theft of the CCTV camera and other articles of his house.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the



petitioners and specific allegation of demand of rangdari is against co-accused Naresh Yadav. Moreover, there is a land dispute between the parties and for which a title suit is pending before the learned court below. Similarly situated co-accused Naresh Yadav has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 4514/2023.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail. Learned counsel for the informant submits that the petitioners are named in the FIR and they have actively participated in commission of the offence. It is also submitted that as many as 6 criminal cases are pending against petitioner no.1.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners no. 2 to 5 named above, 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 Judicial Magistrate 1st class, Gaya in Vishnupad Police Station Case No. 192 of 2022 , subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

Petition for pre-arrest bail of petitioner no.1 is rejected.

(Prabhat Kumar Singh, J)

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