

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1799 of 2023

Arising Out of PS. Case No.-28 Year-2020 Thana- BIHIA District- Bhojpur

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DANI YADAV S/o Late Dwarika Yadav R/o village- Hospital Road Bihiya
ward no. 3, P.S.- Bihiya, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.J.N. Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Bihiya P.S. Case No. 28 of 2020, registered for the offences punishable under Sections 504, 504, 386, 387, 341, 34 of the IPC.

As per allegation, the accused persons, including the petitioner was involved in smuggling of heroine and other psychotropic substances. The informant had made complaint to the Director General Police, Bihar against the illegal activities of the petitioner. After complaint sent by the informant, his illegal business was stopped and thereafter, he had vendetta against the informant. He and other named accused persons in the FIR used to threaten the informant to kill. On the day of



occurrence, all the four named accused persons including the petitioner threatened him and asked him as to why he had not complied the order of demand of Rs. 20,000/- as ransom. The further allegation against the petitioner is that he ordered other accused persons to kill the informant but the villagers assembled and he was saved.

The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case. The FIR itself shows that no ransom was paid to the petitioner or anybody else.

On the other hand, the learned APP for the State Sri J.N. Thakur has opposed the prayer for bail and submitted that the petitioner, as per allegation, is heroine smuggler. He is involved in 15 cases out of which, one of the cases is under Section 302 of the IPC.

Considering the above-mentioned facts and circumstances, specially the strong criminal antecedent of the petitioner, I am not inclined to grant bail to the petitioner, which is hereby rejected.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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