

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1028 of 2023

Arising Out of PS. Case No.-553 Year-2016 Thana- SHERGHATI District- Gaya

Dhiru Yadav @ Dhanukdhari Yadav @ Dhanuk Son of Bangali Yadav R/v-
Paharpur, P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-04-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Sherghati P.S. Case No.553 of 2016, registered for the offences punishable under Sections 387 of the Indian Penal Code and Section 17 of the C.L.A. Act.

The prosecution case as emerges from the FIR is that the informant and his wife were threatened by one Pramod Ji, TPC member, for 5% levy for constructing her school.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner is not named in the FIR and direct allegation is against one Pramod Ji and there is no direct allegation against the petitioner. He has been arrested only on suspicion that he is a member of TPC.

He further submits that the petitioner has been languishing in jail since 25.04.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in twenty two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has never moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M. Gaya in connection with Sherghati P.S. Case No.553 of



2016 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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