

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7649 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- KURSAILA District- Katihar

SUDHIR YADAV @ SUDHIR KUMAR Son of Narayan Yadav
(Wrongly mentioned in impugned order as age 39 years). Resident of
Village-Kheriya Yadav Tola, P.S-Kursela, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar , Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner
and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 341 , 342, 323 , 384, 386, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, this petitioner, along with other co-accused persons, demanded Rs. 5,00,000/- from the informant as ransom, but the informant was unable to pay the said ransom. It is further alleged that on May 9, 2023, at about 6:00 p.m., this petitioner, along with other co-accused persons armed



with deadly weapons, entered Maa Parwati Hospital, and on fear of arms, accused persons took the informant to the bank of the Ganga River and assaulted him. The accused also made a call to the informant's parents using abusive language and also threatened them that if the ransom money was not fulfilled, he would kill the informant, but anyhow, the informant managed to flee away from there.

4. It is submitted on behalf of the petitioner that, due to old enmity, this petitioner has falsely been implicated in this false and concocted case. The petitioner has neither kidnapped the informant nor demanded any extortion money. All the sections are bailable in nature, except sections 384 and 386 of the IPC. He further submits that there is no delivery of money or any property, and as such, no offence is made out against this petitioner. A similarly situated co-accused person, namely Kare Yadav, has already been granted anticipatory bail by the court below. Petitioner claims clean antecedent.



5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the clean antecedent of the petitioner and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Katihar in connection with Kursela P.S. case No. 88 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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