

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17091 of 2024

Arising Out of PS. Case No.-90 Year-2020 Thana- KURSAILA District- Katihar

Arjun Yadav, S/o Phuleshwar Yadav @ Fulo Yadav Village- Navtoliya Sadhua
Rangra Chowk Ps- Gopalpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.715 of 2023 arising out of Kursela P.S. Case No. 90 of 2020, lodged on 11.05.2020 under Sections 384, 386, 307 of the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged against two named accused persons including the present petitioner and 8-10 unknown persons against whom there is an allegation that they have demanded Rs.10,000/- per acre ransom for farming from the villagers. Allegation of indiscriminate firing is also there in the FIR.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that the offence of ransom has been attempted. Counsel further submits that due to local rivalry, the present case has been filed. Counsel also submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there is only one criminal case pending against him in which he is on bail. The petitioner is in custody since 24.09.2023 in the present case. Counsel further submits that one unknown accused person has been granted bail by the Co-ordinate Bench of this Court *vide* order dated 02.04.2024 passed in Cr. Misc. No.19481 of 2024.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the allegation of firing and demand of ransom is there in the FIR. Counsel also submits that the criminal antecedent of the petitioner is also not clean.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees



Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Katihar in connection with Sessions Trial No.715 of 2023 arising out of Kursela P.S. Case No. 90 of 2020, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Kursela P.S. Case No. 84 of 2020.

(Dr. Anshuman, J.)

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