

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25526 of 2024

Arising Out of PS. Case No.-79 Year-2020 Thana- BAHERI District- Darbhanga

Mukesh Yadav son of Lalu Yadav Resident of Village- Sher, P.S.- Baheri,
Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate.

For the Opposite Party/s : Mr. Akbar Ali, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2024 Heard Mr. Sumit Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Akbar Ali, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Baheri P.S. Case No. 79 of 2020 registered for the offence
punishable under Sections 341, 342, 323, 324, 325, 384, 504
and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the
petitioner along with other co-accused are said to have
demanded extortion from the son of the informant and on
objection made by him, co-accused Vikash Yadav assaulted on
the head of the son of the informant by means of dagger causing
head injury and co-accused Kunj Bihari assaulted on the leg of
the son of the informant by means of iron rod causing fracture
injury on leg. The petitioner and co-accused Kunj Bihari are



said to have demanded extortion from the son of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that on the order of one co-accused Vikash Yadav, another co-accused Kunj Bihari has allegedly assaulted the son of the informant causing injury on parietal region of the son of the informant. There is no allegation of assault against the petitioner. The allegation against the petitioner is that of demanding extortion, but no specific amount of extortion demanded by the petitioner has been mentioned in the F.I.R. In omnibus manner, it has been alleged in the F.I.R. that 35,000/- was demanded by the accused persons, but no specific allegation has been made against the petitioner that he had demanded the said amount. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation against the petitioner being general and omnibus, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-IX, Darbhanga in connection with Baheri P.S. Case
No. 79 of 2020, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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