

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30975 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- MANSI District- Khagaria

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Mritunjay Kumar Yadav Son of Chhatri Yadav Resident of Village-
Dhamhara, Ps- Mansi, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mansi
P.S. Case No. 138 of 2023, G.R. No. 1538 of 2023 instituted for
the offences under Sections 341, 323, 307, 386, 379, 506, 34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, while the Informant was
returning from Munger on his Fortuner vehicle, the accused
persons including the petitioner started indiscriminate firing on
the vehicle of the Informant. Thereafter, the accused persons
looted Informant's golden chain and cash of Rs. 1,25,600/-. The
accused persons also demanded extortion money of Rs. 20 lakhs
and said that not only that, he has to also give extortion money



of Rs. 12 lakh yearly. They also threatened to kill the Informant and disappear his dead body if he would not pay the extortion money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motives. He submits that the date of occurrence is 27.04.2023 but, the F.I.R. was lodged on 18.05.2023 i.e. after delay of about 21 days and there is no valid explanation for such an inordinate delay which falsifies the prosecution case. No one has received any injury in the alleged occurrence. The petitioner has four criminal antecedents out of which in three of them, he is on bail and in one case, he has been acquitted. The petitioner is languishing in judicial custody since 04.08.2023 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the fact that none has sustained injury, let the petitioner, abovenamed, be released on bail, **after framing of charge if**



not already framed, on furnishing bail bonds of Rs.10,000/-
(Ten thousand) with two sureties of the like amount each to the
satisfaction of Court below/concerned Court in connection with
Mansi P.S. Case No. 138 of 2023, G.R. No. 1538 of 2023.

(Rudra Prakash Mishra, J)

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