

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40361 of 2024**

Arising Out of PS. Case No.-22 Year-2023 Thana- LUTUA District- Gaya

Surendra Yadav @ Surendra Kumar @ Kuhur, aged about 31 years, Male,  
S/O Kishori Yadav, R/O Village- Asurain, P.S- Lutua, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      26-07-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Lutua PS Case No.22 of 2023 dated 26.12.2023, instituted for the offence punishable under Sections 341, 323, 364-A, 385, 387, 504, 506, 120-B of the Indian Penal Code, 25(1-b)a of the Arms Act and Sections 10, 11, and 13 of the UAP Act, 1967.

3. The prosecution case, in short, is that on the alleged date of occurrence three militants took away three employees of the construction company from the work place and brought them to the forests. Later on, two of them were released after assaulting them and they were asked to convey the owner of the construction company to pay 5% of construction amount or 30 lakhs failing which they will kill the another employee, who



was in the captivity of the militants. It is also alleged that earlier co-accused, Ranjit Singh Bhokta, had come at the work place and demanded the contact number of the contractor and co-accused, Ranjit Yadav, told them to manage the matter with Jangal King, namely, Vivek Yadav. About the petitioner, it is alleged that he also used to come at the work place.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except suspicion there is nothing against the petitioner. It is further submitted that occurrence has taken place on 24.12.2023 at 8.00 PM, but the FIR has been lodged on 26.12.2023 at 5.08 PM and there is no explanation for delay in lodging the FIR. The petitioner is the resident of the same locality and that is why he used to go the work place. The petitioner has criminal antecedents due to which he has been implicated in this case.

5. Learned APP has opposed the prayer for bail. Learned APP submits that the petitioner has been named by the victim in his statement recorded under Section 164 Cr.P.C.

6. Considering the fact that the petitioner has been named by the victim in his statement recorded under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner at



this stage.

- 7. Prayer for bail is rejected for the present.
- 8. The application stands dismissed.

J. Alam/-

(Khatim Reza, J)

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