

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64850 of 2024**

Arising Out of PS. Case No.-33 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Rahul Yadav S/o- Kailash Yadav @ Faishon Yadav Village- Latra Ps-
Gopalpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Naugachia P.S. Case No. 33 of 2023 dated 15.02.2023 registered for the offences punishable u/ss 386 and 387 of the Indian Penal Code.

3. As per the prosecution case, the informant is the owner of the Gayatri Cement Agency situated near Bank of India Branch at Naugachia on NH-31. He received call on whatsapp in which the extortion money was demanded from him. He was also threatened with dire consequences if the said demand of extortion money was not fulfilled. The informant is not living at Naugachia since then and lastly it has been alleged



that from mobile nos. 916204915514 and 9779863881800, the accused persons are disturbing him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 09.02.2023 but the F.I.R. was lodged on 15.02.2023 and there is no explanation for this delay. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case merely on suspicion. The petitioner is not the owner of the said mobile numbers. During the course of investigation, it has come in light that the owner of mobile no. 916204915514 is one Sambhu Yadav and the mobile no. 9779863881800 is of Nepal country and belonged from one Murari Kumar Yadav and the petitioner has no concern with them. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has ten criminal antecedents in which he is on bail in five cases as stated in para 3 of the bail petition. The petitioner is in custody since 06.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia at Bhagalpur in connection with Naugachia P.S. Case No. 33 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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