

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65911 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- MOTIPUR District- Muzaffarpur

RAVINDRA KUMAR YADAV Son of Raghuvansh Ray Resident of Village-
Morsandi Mathiya, P.S.-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 29-02-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Motipur P.S. Case No. 134 of 2023 for the offence under sections 323, 354, 354B, 379, 385, 506 of the I.P.C. lodged on 11.05.2023 by the informant, Sheema Kumari.

3. As per the prosecution story, the informant has alleged that she is running a Jivika Group where the petitioner used to visit, he took some photographs there in his mobile and extorted Rs. 2,55,000/- from her husband. When this was opposed by the couple, the petitioner lodged Motipur P.S. Case No. 458 of 2022 against them. He also used to send objectionable message to her and on the alleged date, he entered the house and tried to strangle her. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a



bare perusal of the FIR would show that only to take revenge of the lodging of Motipur P.S. Case No. 458 of 2022, this case. He submits that there is no such theory of extortion or sending of objectionable message and/or trying to strangle her and it is unbelievable that for the photographs of the informant, her husband will cough up Rs. 2,55,000/-. He submits that he is ready to co-operate in the investigation and will be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also the materials on record, he will be diligently appearing in trial as undertaken by the learned counsel for the petitioner, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-2nd, Muzaffarpur (West), in connection with Motipur P.S. Case No. 134 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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