

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73940 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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Raj Babbar Yadav @ Babbar @ Sanjay Kumar @ Babbar Yadav, aged about 28 years, Male Son of Chandi Yadav, Resident of Village- Rajaura, P.S. Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S. Kamal PS Case No. 222 of 2022 instituted for the offences punishable under Sections 341, 323, 307, 325, 384, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner Raj Babbar Yadav demanding extortion money from the informant and when the extortion money was not paid, the petitioner threatened the informant with pistol and also fired upon him but the shot missed him. Further, petitioner and other co-accused persons assaulted the informant and his family members with



fists, slaps, *lathi and danda*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. From perusal of the FIR, injury report and impugned order passed by the learned Additional Sessions Judge-XI Begusarai, dated 29.09.2023, it appears that the FIR registered under various Sections of the Indian Penal Code on the basis of the written report of the informant namely Dharmendra Kumar. The occurrence took place on 13.08.2022 and the FIR has been lodged on 16.08.2022 after three days and there is no appropriate explanation regarding the delay in lodging of the FIR. Similarly situated co-accused persons namely Amit Sharma and Amit Thakur @ Sawan Kumar have been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. Nos. 1142 of 2023 and 53508 of 2023 dated 23.03.2023 and 19.08.2023, respectively. Petitioner is in custody since 04.07.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned A.C.J.M.-IV,
Begusarai in connection with S. Kamal PS Case No. 222 of
2022, subject to the following conditions:-

- (i) One of the bailors shall be a close relative of the
petitioner.
- (ii) The petitioner shall appear before the Court on
each and every date fixed by the trial Court till conclusion of the
trial.

(Ramesh Chand Malviya, J)

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