

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32064 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- VIJAYEPUR District- Gopalganj

Hare Ram Yadav son of Ramashish Yadav Village -Bhanpur PS- Vijaipur District -Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 32071 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- VIJAYEPUR District- Gopalganj

1. Vikaram Singh @ Vikram Singh son of Late Nandakishore Singh Village- Sarupai PS -Vijaipur District -Gopalganj.
2. Vishal Sah son of Chotelal Sah village- Charakhiya Khape, Ps- Vijaipur, Dist- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :
(In CRIMINAL MISCELLANEOUS No. 32064 of 2025)
For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 32071 of 2025)
For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioners and learned

 APPs for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Vijaipur P.S. Case No. 38 of 2025 registered for the alleged offence under Sections 308(4), 303(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the informant was

informed by his *Munshi* that petitioner-Vikram Singh along with other petitioners and co-accused came at the construction site and petitioner-Vikram Singh demanded Rs. 20 lacs as extortion money at the instance of his co-accused uncle Vijay Singh. Thereafter, petitioner-Vikram Singh took away Rs. 1,00,000/- (one lac) from the pocket of *Munshi* of the informant.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. No such occurrence has ever taken place. The whole prosecution story has been concocted to defame and harass the uncle of the petitioner-Vikram Singh, namely Vijay Singh. The present case has been lodged due to political rivalry and to satisfy the personal grudge as the petitioner-Vikram Singh is the nephew of co-accused Vijay Singh. There is no allegation of demanding extortion against the petitioners-Hare Ram Yadav and Vishal Sah. During the course of investigation, nothing material has been found against the petitioners. Learned counsel further submits that it is not believable that *Munshi* of the informant had kept Rs. 1 lac in his pocket and the allegation of taking money appears to be superaddition and ornamental allegation to make the case serious in nature. The petitioners are

not the members of any gang in the village. Till date, nothing incriminating has been recovered from the person or possession of the petitioners. Learned counsel further submits that during investigation, *Munshi* of the informant was examined and he clearly stated that nobody had taken out any money from his pocket, therefore, this allegation is completely false and baseless against the petitioner-Vikram Singh. The witnesses did not support the prosecution case. All the allegations against the petitioners are vague and absurd. The petitioner-Hare Ram Yadav is having clean antecedent whereas petitioners-Vikram Singh and Vishal Sah are having antecedent of 8 and 5 cases, respectively and they are on bail in all cases.

05. Learned APPs for the State oppose the submission made on behalf of the petitioners. Learned APPs submit that petitioners-Vikram Singh and Vishal Sah appears to be habitual offenders and they have a long list of criminal antecedent.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the improbable nature of accusation and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/-

(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gopalganj in connection with Vijaipur P.S. Case No. 38 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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