

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46615 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- ATRI District- Gaya

Baiju Yadav @ Rohit Kumar S/o Late Deepu Yadav R/o vill - Swetar, P.S.- Atri,
Distt.- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offence under Section 308(5) of the B.N.S.

3. As per the allegation in the FIR, the informant
stated that on 06.10.2024, his younger brother informed him that
one Baiju Yadav came there and threatened him that he will
close the godown of the informant, if he will not give the
extortion money to him and on the same day at around 12.00
P.M, the present petitioner, namely, Baiju Yadav came back with
other miscreants and broke the old lock of the informant's
godown and parked his Safari vehicle and locked the
informant's godown with his own new lock.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the present case has been lodged
after a delay of twenty days without any plausible explanation.
He next submits that allegations against the petitioner are



general in nature, vague and omnibus. He further submits that the Police has neither seized the said vehicle of the petitioner nor the new lock. He next submits that petitioner is in custody since 12.04.2025. He further submits that petitioner has seven criminal antecedents but fairly submits that he is on bail in all the cases as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for Regular bail of the petitioner.

6. In the light of the aforesaid facts as well as the submissions of the learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Atri P.S. Case No.404 of 2024 with condition that if the similar nature of the offence will be reported against the present petitioner, it will be treated as misuse of bail and the informant shall be at liberty to file cancellation of bail of the petitioner before the learned Trial Court.

(Ramesh Chand Malviya, J)

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