

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78568 of 2025

Arising Out of PS. Case No.-3 Year-2021 Thana- BHADHWAR District- Gaya

Arvind Bhuiyan S/O Sri Chhedi Bhuiyan R/o Village- Harhi, P.S.- Bhadwar,
Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Kumar Sinha, Advocate
	Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bhadwar P.S. Case No. 03 of 2021 registered for the alleged offences under Sections 147, 148, 149, 323, 341, 342, 458, 386, 387, 307, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons came to the doors of the house of the informant and when the informant refused to open the main gate of his house, some of the accused persons, climbed onto the roof of his house taking help of wall of nearby houses. The petitioner and other co-accused persons were variously armed and told the informant for not paying the levy of brick kiln being run by him and they claimed themselves to be TPC Cadre. Thereafter, the



grandfather, uncle and cousin of the informant were forcibly taken away by the miscreants outside the village. Later on, when the informant and villagers went to search of them, they were found crying with pain as they were assaulted with stones and *danda* for non-payment of levy.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the case of the petitioner is similarly placed with the co-accused Nagina Yadav, who has been granted bail by a Co-ordinate Bench vide order dated 31.08.2022 passed in Criminal Misc. No. 32273 of 2022. There is general and omnibus allegation and the petitioner was not apprehended from the spot. From the facts of the FIR, it is apparent that no offence under Section 307 of IPC is made out against the petitioner. There is no injury report on record. No money was paid towards extortion demand, therefore, there could be no application of Section 386 and 387 of IC. The petitioner has got no criminal antecedent. The petitioner is in custody since 16.05.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to 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 learned Sub Divisional Judicial Magistrate, Sherghati, Gaya/court concerned in connection with Bhadwar P.S. Case No. 03 of 2021, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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