

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1660 of 2026

Arising Out of PS. Case No.-364 Year-2025 Thana- MAIRWAN District- Siwan

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Jiwan Yadav S/O Baburam Yadav @ Baburam Prasad R/O Village-
Kandhwara, P.S.-Siwan Muffasil, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Singh, Sr. Adv. Mr. Satyendra Rai, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Md. Danish Suamar, Adv. Ms. Madiha Muneer, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the learned Senior Advocate for the petitioner,

learned Advocate for the Informant and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Mairwa P.S. Case No. 364 of 2025, registered for the
offences punishable under Sections 308(2) and 3(5) of the
B.N.S., 2023.

3. Based upon the written report, it is alleged that the
informant has been coming in possession of a plot of land, duly
purchased by his grandfather. However, the petitioner along
with others demanded a ransom of Rs. 10 lakhs in lieu of
making construction over the same, failing which he was



threatened to kill the informant and his family. It is further contended that earlier also, he was threatened through the mobile phones. On 28.08.2025, the petitioner along with other named and unknown criminal armed with rifle, gun came at the plot and destroyed maize plants to the tune of Rs. 20,000/- and also damaged the boundary wall.

4. Learned Senior Advocate for the petitioner primarily contended that the mobile phones, from which it is alleged that the extortion call had come, do not belong to the petitioner. Moreover, there is a dispute with regard to sale and purchase of the land, in question, between the informant and one Gama Kumar Yadav and it is Gama Kumar Yadav, who had made a call from his mobile. However, taking shelter of pre-emption animosity, the present FIR came to be instituted. The aforesaid facts also fortified for the simple reason that the said Gama Kumar Yadav had already lodged an FIR against the informant bearing Nautan P.S. Case No. 228 of 2025 on 03.09.2025 itself. Only on account of past criminal antecedent, the name of the petitioner has been implicated in this case.

5. On the other hand, learned Advocate for the State and the informant opposed the pre-arrest bail application and submitted that there is a specific accusation against the



petitioner of causing demand of extortion and damaging the boundary wall and the maize plants.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the accusation against the petitioner of demand of extortion, besides active participation with other co-accused persons in the crime, as also list of the criminal antecedent, as has been disclosed in paragraph no. 3 of the bail application, this Court is not acceded to the prayer for anticipatory bail of the petitioner.

7. Accordingly, the present bail application stands rejected.

(Harish Kumar, J)

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