

Court of District & Sessions Judge, Buxar

**B.P. No.595/2019**

Dhanoj Yadav                      Versus                      State of Bihar  
Ld. Advocate for the Prosecution: Sri N.G. Pd., P.P.  
Ld. Advocate for the Defence: Sri Arun Kumar Rai

**23-09-2019**                      Pending regular Bail Petition dated  
19.09.2019 filed on behalf of petitioner namely **Dhanoj Yadav**  
who is in custody since 16.09.2019 in connection with **Buxar**  
**(Town) No.208/2015** u/s 387 & 506/34 I.P.C. is put up &  
moved today.

Copy of bail petition has already been served  
to the Ld. P.P. for the prosecution.

Lower Court Record has already been  
received.

Heard learned Counsel for the petitioner &  
learned P.P. for the State on the point of regular bail.

Learned Counsel for the petitioner submitted  
that earlier no any bail petition was filed on behalf of the  
petitioner in this matter either before this learned Court or  
before Hon'ble High Court nor is pending before any other  
Court.

Ld. Counsel for petitioner also submitted that  
petitioner is quite innocent, has committed no offence as  
alleged & has been falsely implicated in this case. Petitioner is  
already on Bail dated 01.05.2019 & not misused the privilege  
of bail intentionally. Actually, on 13.07.2019 petitioner was  
appeared & signed on Haziri but learned Court below has  
canceled his bail bond due to so not appear on Call. Petitioner  
is ready to give Undertaking for physical appearance before  
learned Court on each & every date. Petitioner is in custody  
since 16.09.2019.

**B.P. No.595/2019**

continued

**23.09.2019**

Therefore, petitioner be enlarged on regular bail.

Learned P.P. for the State objected the prayer of Bail Petition & prayed to reject the regular bail petition of the petitioner.

From perusal of the Case Record it appears that the Case relates to **Buxar (Town) No.208/2015** u/s 387 & 506/34 I.P.C..

The Prosecution Case in nut shell is that on 24.05.2015 at about 9.30 P.M. in the night from Mobile No.9451896790 a call has been made by so called Sandeep Yadav & received by Sanjay Kumar Jaiswal, informant on his Mobile No.8271509106 who threatened & inquired about money earlier demanded from him. Earlier on 20.05.2015 in between 9 to 10 o'clock in the night a call had also been made by so called Sandeep Yadav & received by him by his Mobile and demanded Rs.1 Lakh as Rangdari & threatened to kill if not paid. When on 24.05.2019 phone was called to him by the person he feels that phone was not called by Sandeep Yadav because voice of that person was likely to be known by him. On 25.05.2015 his villagers namely Dhanoj Yadav & Anish Miya were trying to know his activity, so he has full doubt against both of them.

Perused the Lower Court Record, from which it is apparent that petitioner has got privilege of bail on 13.10.2015. When the Case Record was pending on the point of Charge, the bail bonds of the petitioner got cancelled Second time. On 13.08.2019 accused/petitioner did not appear when the Case was called out despite the attendance was shown to be

**B.P. No.595/2019**

continued

**23.09.2019**

filed then his bail bond was canceled. From perusal of Record it also appears that on 16.09.2019 the petitioner has voluntarily surrendered in the learned Court below.

Therefore, having considered these facts, circumstances & material available on record as well as period in custody, the petitioner deserves for regular bail. Accordingly, the above named petitioner is directed to be released on pre arrest bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Court below subject to condition as laid down u/s 437(3) Cr. P.C. in **Buxar (Town) P.S. Case No.208/2015** with further condition that petitioner shall be physically present on each & every date fixed in Court till Charge frame, if single default will automatically cancel bail.

Dictated

Sd/- H.Nath

Sess. Judge.