

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28201 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- CHAUSA District- Madhepura

Mahendra Yadav, son of Late Prasadi Yadav, Resident of Village/Mohalla-
Bhatgama, P.S.- Chausa, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Chousa P.S.
Case No. 47/18 for offences punishable under Sections 365/34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner had sold 3 kathas 3 dhurs of land to the
informant 20 years back for a consideration amount of Rs.
6,000/-, but no registered document had been executed for sale.
The informant time and again reminded him for the said
registration but the petitioner did not do so. Recently, a four lane
road has been constructed and some of the land has been taken
by the Government for its construction for which the



compensation amount has also been taken by the petitioner. However, for the remaining part of the land when the informant asked the petitioner for registration, he refused. His son has also disappeared last night for which he has alleged that the petitioner along with two other co-accused might have kidnapped his son.

It has been submitted by the learned counsel for the petitioner that he is innocent, no agreement of any sort was there with regard to the land with the informant and that too 20 years back, petitioner bears no criminal history and only suspicion has been raised regarding kidnapping of his son by the informant. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 06.03.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Chousa P.S. Case No. 47/18, subject to the condition that one of the bailors would be a close relative of the petitioner



having sufficient immovable property, who will file an affidavit
stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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