

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60020 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- BIHRA District- Saharsa

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1. Bauku Yadav @ Basudeo Yadav S/o Late Jaichand Yadav,
 2. Vilash Yadav @ Vilash Kumar Yadav, S/o Late Jaichand Yadav,
 3. Manohar Yadav S/o Late Jaichand Yadav, All are R/o Vill.- Padampur, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Satish Kumar Singh
For the Opposite Party/s :	Mr.Chaubey Jawahar
	Mr. Pramod Misra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-01-2019 Heard both sides.

The petitioners apprehend their arrest in Bihra P.S.
Case No.128 of 2018 registered under Sections 384, 379 and
other Sections of the Indian Penal Code.

The informant alleged that in his orchard, the
petitioners came and demanded extortion of Rs.1 lakh. The
accused persons also threatened the informant of dire
consequences on account of non payment of extortion and they
took away Rs.35,000/- from the pocket of the informant and
plucked the Mangoes.

The learned counsel for the petitioners submits that
the petitioners and the informant are the descendants of
common ancestor. There is land dispute between the petitioners
on one side and informant on other side. The grandfather of the



informant lodged complaint case No.479C of 1964 against the father of the petitioners and the same ended in acquittal. Petitioners also claimed share in the orchard and that is why the informant has lodged this false case. The supervising authority also found that the petitioner No.3 was admitted in P.M.C.H. on 19.06.2018.

Learned counsel for the informant vehemently opposed the prayer for bail.

It appears that on account of land dispute, the case has been lodged making allegation of demand of extortion.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Bihra P.S. Case No.128 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)

