

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79338 of 2019

Arising Out of PS. Case No.-279 Year-2019 Thana- ISLAMPUR District- Nalanda

1. Indu Yadav, Son of Late Raghunandan Yadav @ Boudhu Yadav, Resident of Village- Khedan Bigha, P.S.- Islampur, District- Nalanda.
2. Shankar Yadav, Son of Late Raghunandan Yadav @ Boudhu Yadav, Resident of Village- Khedan Bigha, P.S.- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Krishna Prasad Yadav,, Advocate
For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Islampur P.S. Case No.279 of 2019 registered for the offence punishable under Sections 341, 323, 406, 420, 427, 354B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that there appears to be a land dispute between the parties and the transaction was for executing an Ijara (mortgage deed), but when it came to be known to the petitioners that the informant wanted the sale deed to be executed, they



refused to do so in the registration office, which has resulted into the present dispute. Learned counsel for the petitioners submits that though the event is said to be of the year 2008, the informant has now come forth with the present F.I.R. after 11 years and the whole story is highly improbable. It is further submitted that the allegation under Section 354 I.P.C. is also ornamental in nature. It is next pointed out that if at all there is dispute between the parties, it is one in the nature of civil dispute, for which the informant could have taken recourse to approaching a court of civil jurisdiction for proper redressal of the grievance.

Considering the aforementioned facts and circumstances and that these petitioners have got no criminal antecedents, 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/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Hilsa (Nalanda), in connection with Islampur P.S Case No.279 of 2019, subject to the



conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

