

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4057 of 2021

Arising Out of PS. Case No.-250 Year-2019 Thana- VISHNUPAD District- Gaya

NARESH YADAV Son of late Mathura Yadav Resident of Village - Maranpur
Bypass, Khatkachak, Haveli Gali, P.S.- Vishnupad, Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avanish Kumar Singh, Advocate
For the informant	:	Mr. Shiva Shankar Sharma, Advocate
For the State	:	Md. Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-03-2021 Heard Mr. Avanish Kumar Singh, learned counsel for the petitioner, Mr. Shiva Shankar Sharma, learned counsel for the informant and Md. Sufyan, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Vishnupad P.S. Case No. 250 of 2019 registered for the offences punishable under Sections 147, 148, 149, 386, 387, 427, 504/34 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation as per the First Information Report is that the petitioner along with other named accused persons and some unknown persons arrived at the land situated at Mohalla Ghughritand, Maranpur bypass and opened several round of firings and snatched Rs.1,00,000/- from one of the labourers. It



has further been alleged that the accused persons told the labourers to ask their employer to arrange a sum of Rs.60,00,000/- and only then the work would be allowed to proceed.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute inasmuch as the plot in question which has been referred in the First Information Report belongs to the father-in-law of the petitioner for which a Title Suit bearing Title Suit No. 212 of 2014 is pending in which wife of the informant is one of the defendants. Learned counsel further submits that petitioner is the only son-in-law of his deceased father-in-law due to which the informant has falsely implicated the petitioner in the present case. Learned counsel also submits that other cases which are pending against the petitioner have also been lodged by the informant due to the land dispute and referring to Annexure-3 learned counsel submits that in almost identical facts, another First Information Report was lodged and the Police after investigation submitted final form not sending the petitioner for trial. Learned counsel next submits that other named five accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. 23872 of 2020. The



petitioner is in custody since 10.07.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the nature of allegation and previous litigation between the parties, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Vishnupad P.S. Case No. 250 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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