

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10214 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- ANTICHAK District- Bhagalpur

1. YOGENDRA YADAV Son of Late Chhabbu Yadav Resident of Village- Parshuramchak, P.S.- Antichak, District- Bhagalpur.
2. Mahanand Kumar Yadav @ Prem Kumar Son of Yogendra Yadav Resident of Village- Parshuramchak, P.S.- Antichak, District- Bhagalpur.
3. Bijay Kumar Yadav @ Anurag Raj Son of Yogendra Yadav Resident of Village- Parshuramchak, P.S.- Antichak, District- Bhagalpur.
4. Perma Nand Kumar Yadav @ Sagar Yadav Son of Yogendra Yadav Resident of Village- Parshuramchak, P.S.- Antichak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.4 as he has been arrested during pendency of the present anticipatory bail application.

Permission is accorded.

The petitioner nos. 1, 2 and 3 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 504, 506 and 34 of the Indian Penal Code.



The informant alleges that construction of electricity Sub-station was being carried out under DDUGJY Scheme and when the work was completed around 50%, the accused persons, including the petitioners, came and stopped the construction work and thus created hindrance in discharge of government work and even threatened the officials and labourers not to commence work, further on 06.08.2021, when the construction work was started, the accused persons again stopped and obstructed the work and even abused by taking caste name.

Learned counsel for the petitioners submits that the petitioner nos. 1, 2 and 3 are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that the land on which the construction is going on belongs to petitioner no.1, it is next submitted that notice under Section 80 CPC has been given to the State of Bihar and thereafter a Title Suit has also been filed, it is also submitted that from tenor of allegation also it appears that the dispute is civil in nature for the reason that there is no allegation of assault or demanding extortion.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1, 2 and 3, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Antichak P.S. Case No. 21 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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