

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21953 of 2022

Arising Out of PS. Case No.-359 Year-2021 Thana- JOGAPATTI District- West Champaran

1. KAMLESH YADAV Son of Madan Yadav
2. Praja Yadav Son of Late Gugul Yadav
3. Radheshyam Yadav Son of Late Gugul Yadav
4. Rameshwar Yadav @ Ramesar Yadav Son of Late Ganesh Yadav
All are R/O Village - Laukariya Tola, Bali Raut, P.S.- Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-11-2022 By order dated 08.08.2022, the prayer for anticipatory bail of petitioner no. 1 Kamlesh Yadav has already been dismissed as withdrawn.

Heard learned counsel for the petitioners no. 2 to 4 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners no. 2 to 4 apprehend their arrest in a case registered for the offences punishable under Sections 323, 324, 327, 386, 387, 389, 379, 447, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners no. 2 to 4 submits



that petitioner no. 2 has antecedent of two cases, petitioner no. 3 is a person with clean antecedent and petitioner no. 4 has antecedent of one case.

The informant alleges that he has ancestral land in Mauza Laukaria and its Jamabandi No. 387. During family partition 17 Katha of land was allotted in the share of the informant, 1 Katha 1 Dhur of land was allotted to Deepak Kumar Verma, 2 Katha 13 Dhur of land was allotted to Abhay Kumar Srivastava and rest of the land was taken over by the government for constructing canal. It is further alleged that Abhay Kumar Srivastava sold his land to Janak Yadav and Deepak Kumar Verma sold his land to Praja Yadav (petitioner no. 2). It is further alleged that the petitioners no. 2 to 4 have been demanding Rs.5 lakhs by way of extortion and even looted the cane crops amounting to Rs.60,000/- of the informant from the said land on the ground that they are also purchasers of land from Deepak Kumar Verma and Abhay Kumar.

Learned counsel for the petitioners no. 2 to 4 submits that petitioners no. 2 to 4 have been falsely implicated in the present case. It is further submitted from perusal of the allegation, it would manifest that the allegations are purely civil in nature and the informant in order to oust the petitioner no. 2



from the land which he had purchased from his co-sharer is trying to coerce them into submission under fear of criminal case. It is next submitted that the allegation does not even remotely suggest that petitioners no. 2 to 4 even assaulted but still the case has been instituted under Sections 324, 327 and other allied sections of the Indian Penal Code.

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 no. 2 to 4, the petitioners no. 2 to 4 above-named, 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 Yogapatti P.S. Case No. 359 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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