

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34158 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- DUMRA District- Sitamarhi

1. ASHOK YADAV @ ASHOK KUMAR Son of Chandra Dev Yadav Resident of Village - Kumhara Bisanpur Deua Tola, P.S.- Dumra, Distt.- Sitamarhi.
2. Dinesh Yadav @ Dinesh Kumar Son of Lalbabu Prasad Yadav Resident of Village - Kharka, P.S.- Punaura, Distt.- Sitamarhi.
3. Munna Yadav @ Munna Kumar Son of Lalbabu Prasad Yadav Resident of Village - Kharka, P.S.- Punaura, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shankar Kumar, Adv.
For the Opposite Party/s :	Mr.Ramchandra Sahni, APP
	Mr.Ashok Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 384, 386, 34 IPC.

Allegedly, all the FIR named accused persons including the petitioners are said to have obstructed the construction work of the house of informant and were demanding rangdari.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that there is an admitted land dispute between the parties. It is submitted that the alleged occurrence took place on 18.02.2022 whereas F.I.R. has been instituted on 02.03.2022 i.e. after a delay of more than 14 days and no plausible explanation for such delay has been given. Such delay in lodging the F.I.R. itself casts a shadow of doubt. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for bail.

Considering the delay in lodging the F.I.R., let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Dumra P.S. Case No.94 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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