

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48028 of 2021**

Arising Out of PS. Case No.-303 Year-2019 Thana- CHAUTHAM District- Khagaria

RAVINDRA YADAV Son of Narsingh Yadav Resident of Village- Sonbarsha,
P.S.- Choutham, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 21-03-2022 Heard Mr. Roshan Kumar Mishra, learned counsel
for the petitioner and Mr. Nawal Kishore Prasad, learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Chautham P.S. Case No. 303/2019 registered for the offences
punishable under Sections 147, 148, 149, 341, 307, 504, 506,
427, 385 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 nine other accused persons arrived
at the agricultural land of the informant and started abusing . It
has further been alleged that when the informant protested, three
of the accused persons namely, Rinkesh Yadav, Sarvin Yadav
and Pandav Yadav started firing and also demanded extortion



money of Rs.5,00,000/- from the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute between the parties inasmuch as a proceeding under Section 145 Cr. P.C. was initiated between the parties in which the learned SDO has passed an order directing the parties to file a civil suit. Learned counsel further submits that from perusal of the First Information Report it appears that no overt act has been alleged against the petitioner and the allegation of firing is upon co-accused Rinkesh Yadav, Sarvin Yadav and Pandav Yadav. However, nobody has received bullet injury due to the alleged firing. He next submits that other similarly situated co-accused persons namely, Bhujal Yadav @ Tejo @ Tej Narayan Yadav has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 47523 of 2021. The petitioner is in custody since 20.01.2021 and so far as criminal antecedent of the petitioner is concerned, the same has been lodged due to land dispute between the parties.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no overt act has been alleged against the petitioner and nobody has received injury due to the alleged firing, the



similarly situated co-accused person has been granted bail by a co-ordinate Bench of this Court, the petitioner is in custody since 20.01.2021 and charge sheet has already been submitted, 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of Miss Alka Roy, learned Judicial Magistrate, 1st Class, Khagaria, in connection with Choutham P.S. Case No. 303/2019.

(Anil Kumar Sinha, J)

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