

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39142 of 2022**

Arising Out of PS. Case No.-409 Year-2021 Thana- CHANDAUTI District- Gaya

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SUNIL YADAV @ SUNIL KUMAR Son of Late Vilan Yadav R/o Village -
Ghutiya, P.S.- Magadh Medical, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 385, 387 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that he has land in the name of his daughter 'Rakhi' and the accused persons, including the petitioner, are threatening him to transfer the land in their favour and also demanding extortion of Rs. 10 lakh on the strength that they belong to the political party 'RJD'.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that it has been specifically stated at Para-11 of the anticipatory bail application that Baleshwar Yadav on 28.10.2009 had purchased the land in question which is mentioned in the FIR and has been paying rent after mutation, it is further pleaded that informant also purchased the same land on 02.07.2012 in name of his daughter and on account of this reason the dispute is going on, a civil dispute which had arisen has been given a criminal colour. The learned counsel for the petitioner also produced the sale deed by which Baleshwar Yadav had purchased the land in question.

Learned A.P.P. for the State on perusal of the sale deed submits that Baleshwar Yadav had purchased the land pertaining to old Khata No. 191 and Old Plot No. 274, which pertains to new Khata No. 138 and Plot No. 286, but the informant has purchased the land in name of his daughter which pertains to the same Khata No. 138 but Plot No. is different i.e., Plot No. is 294 as such the learned APP submits that the land purchased by Baleshwar Yadav and the informant in name of his daughter are different, the learned APP also submits that from perusal of the allegation as alleged in the FIR and the sale deed of Baleshwar Yadav it appears that the land pertains to the same Khata having different Plot No. and as such it may be a



possibility that Baleshwar Yadav (petitioner) is threatening the informant to transfer the land in his name.

Considering the submission made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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