

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54947 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- ALOULI District- Khagaria

PANKAJ YADAV @ PANKAJ KUMAR YADAV SON OF BATORAN
YADAV R/O VILLAGE- SAHSI, P.S.- ALOULI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate Mr.Praveen Kumar Agrawal
For the Opposite Party/s :		Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2022 Heard the parties through virtual court proceeding.

Petitioner seeks regular bail in connection with Alauli
P.S. Case No. 111 of 2020 registered for the offence under
Sections 147, 148 , 341 , 385 , 387 , 307, 504, 506 of the I.P.C.
and Section 27 of the Arms Act.

Allegation in nutshell is that petitioner along with
other accused persons accosted the informant and his staff and
demanded extortion amount of Rs. 5 lakhs and when the
informant refused to fulfill the demand made by the accused
persons, the co-accused / Md. Rabban fired a bullet on the
informant but it did not hit him and when his staff tried to
intervene in the matter, the petitioner fired on him due to which
he sustained injury near the neck.



Learned senior counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of a concocted story and there is delay of about two days in lodging the First Information Report. He further submits that incident as stated in the FIR by the informant has not taken place in the manner alleged and the fact of the matter is that petitioner had purchased a piece of land from the co-accused / Md. Rabban by way of sale deed which has been annexed as Annexure 2 to this application. He further submits that the informant wanted to purchase the said land because another land of the informant is situated beside the land purchased by the petitioner and on the date of occurrence the informant along with others had arrived at the land purchased by the petitioner and they wanted to grab the same due to which some scuffle had taken place between the parties. He further submits that petitioner has got no criminal antecedent and he is in custody since 2 / 2 / 2021, investigation has already completed and charge sheet has already been submitted .

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, there appears to be dispute with regard to purchase of land



between the parties, petitioner is in custody since 2 – 2 – 2021 , charge sheet has already been submitted and trial is not likely to be concluded in near future due to Covid 19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Alauli P.S. Case No. 111 of 2020.

(Anil Kumar Sinha, J)

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