

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7235 of 2023**

Arising Out of PS. Case No.-206 Year-2022 Thana- RAFIGANJ District- Aurangabad

1. Rampravesh Yadav, Son of Late Karu Yadav, R/V- Nichlidih Charkawan, PS- Rafiganj, Dist- Aurangabad.
2. Awadhesh Yadav, Son of Late Karu Yadav, R/V- Nichlidih Charkawan, PS- Rafiganj, Dist- Aurangabad.
3. Mukesh Kumar @ Mukesh Yadav, Son of Ram Pravesh Yadav, R/V- Nichlidih Charkawan, PS- Rafiganj, Dist- Aurangabad
4. Sughan Yadav @ Sudrshan Yadav, Son of Awadhesh Yadav, R/V- Nichlidih Charkawan, PS- Rafiganj, Dist- Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Rafiganj P.S. Case No. 206 of 2022 registered for the offences punishable under Section 364, 365, 34 of the Indian Penal Code. They have got two criminal antecedents.

As per the prosecution story, there is an ongoing land dispute between the accused persons and the husband of the informant. On 13.05.2022, the FIR named accused persons including these petitioners threatened the informant that they will kill her husband and throw him within one or two days. The



informant alleged that on 17.05.2022, the accused persons kidnapped the husband of the informant on his way to market with an intention to kill him. The bicycle of the informant's husband was found lying on the road near the school on 20.05.2022.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the present case has arisen due to land dispute between the parties.

Learned APP for the State has opposed the anticipatory bail of the petitioners. It is submitted that the husband of the informant has yet not returned who is said to have been allegedly abducted with an intention to kill him.

Having regard to the facts and circumstances of the case, the fact that the husband of the informant who has been allegedly abducted has yet not returned, the petitioners are named in the FIR and they have two criminal antecedents, this Court is not inclined to grant the petitioners the privilege of pre-arrest bail.

Prayer is refused. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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