

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40352 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- BACHHWARA District- Begusarai

1. ANIL YADAV Son of Sukhdev Yadav Resident of Village - Rudauli, P.S.- Bachhwara, District - Begusarai
2. Ajay Yadav @ Ajay Kumar Son of Ashok Yadav @ Ashok Kumar Resident of Village - Rudauli, P.S.- Bachhwara, District - Begusarai
3. Ashok Yadav @ Ashok Kumar Son of Late Lutan Yadav Resident of Village - Rudauli, P.S.- Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Bachhwara P.S. Case No. 43 of 2023 for the offence punishable under Sections 341, 323, 384, 379, 504, 506, 307/ 34 of the I.P.C lodged on 12.02.2023. by the informant Alok Ranjan.

As per the prosecution story, the accused persons wanted the informant to withdraw the case lodged against them and further allegation is that all the accused persons surrounded and Rajesh Yadav and Ashok Yadav (Petitioner no.3) threw the informant on



the ground and further demanded '*rangdari*' of Rs. 50,000/-, assaulted and snatched the belongings. Accordingly, the FIR.

Learned counsel for the petitioner submits that there is a Title Suit No. 41 of 2005 pending before the parties, they are neighbours and although, there is exaggerated allegation of firing, assaults, snatching as also demand of *rangdari*, there is any injury.

Learned APP opposes the prayer.

Considering the fact that there is no injury and a title suit is pending between the parties, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioners, in the event of their arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Begusarai, in connection with Bachhwara P.S. Case No. 43 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdishjyoti/-

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