

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54908 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- BAGHA District- West Champaran

Adhar Yadav @ Aadhar Yadav (M), aged about 65 years, son of late Vira Yadav, resident of village- Pachferwa P.S- Bhairoganj, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard Mr. Arvind Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Umeshanand
Pandit, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bagaha P.S. Case No. 155 of 2023 registered for the offence punishable under Sections 420, 467, 468, 471, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons named in the FIR, armed with lethal weapon had entered into the house of the informant and threatened to sell the land of her share which she had got out of her father's property, namely, Basudeo Singh. The informant has further alleged that they had got information that the land relating to Khata No. 361,



Khesra No. 2762 measuring total area of 7 katha and 10 dhoor, Mauja- Dumaria and other lands have illegally been sold to one Bharat Yadav.

4. Learned counsel appearing on behalf of the petitioner submitted that the dispute is between the sisters and the heirs of Basudeo Singh. Petitioner has identified the vendee namely, Bharat Yadav as would appear from the sale deed dated 06.01.2023 with respect to the lands in question. The petitioner has clean antecedent and has no role in the alleged forgery or selling the land illegally by one of the sisters of the informant. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submission made on behalf of the parties, the dispute arose between the informant and her sister with respect to their respective share in the property of their father, namely, Basudeo Singh with respect to the sale deed executed by one Mithilesh Devi and on perusal of the said sale deed, which was executed on 06.01.2023, it appears that the petitioner has identified the said vendee, namely, Bharat Yadav. I am of the opinion that petitioner has,



prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha, West Champaran in connection with Bagaha P.S. Case No. 155 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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