

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61068 of 2022**

Arising Out of PS. Case No.-48 Year-2020 Thana- BODHGAYA District- Gaya

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GORELAL YADAV @ MADHESHWAR YADAV SON OF LATE  
CHANDRADEO YADAV @ CHANDRADEEP YADAV R/O VILLAGE-  
LODIPUR, P.S.- PARAIYA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                            |
|----------------------|---|----------------------------|
| For the Petitioner/s | : | Mr.Surendra Kishore Thakur |
| For the State        | : | Mr.Ram Anurag Singh        |
| For the O.P. No.2    | : | Mr. Satyabir Bharti        |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3      07-04-2023                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 384, 387 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on 06.02.2021 this petitioner along with other accused persons armed with Lathi and sticks came to the house of informant and demanded extortion of Rs. 5 lacs for letting him to continue with construction work on his land and assaulted the workers over there and with aid of other accused persons forcibly snatched Rs. 10,000/- from Bijli Sahni.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the



case. It is submitted that there is a dispute regarding the land between the petitioner and the informant for which petitioner had given an application to the Collector, Gaya regarding illegal possession on the said land and threatening of false case by the informant. It is next submitted that in Jamabandi cancellation case No. 62/2021-22 the Additional Collector, Gaya directed the Circle Officer, Bodh Gaya that name of petitioner and his wife should be in Kewala and Jamabandi should also be created in favour of petitioner and his wife and name of informant should be cancelled. It is submitted that the informant had adopted aggressive stance after the order passed by the Additional Collector in Jamabandi Cancellation case No. 62/21-22 which was against the informant as the land purchased by the petitioner was found genuine by the revenue authority. The allegation of extortion and assault by Kudal is out and out a concocted story. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the O.P.. No.2 opposed the prayer for anticipatory bail. It is submitted that informant was in peaceful enjoyment of the properties purchased by him since over 22 years and had undertaken construction of a five star hotel on the property and the petitioner solely in order to extort money from the informant



created fictitious sale deeds and started disturbing the possession of informant. It is further submitted by referring to the sale deeds executed by the petitioner and his wife that in the first sale deed the sale consideration was only 17,00,000/- whereas the Government valuation of the land was Rs.39,90,000/- and in the second deed the sale consideration was Rs. 19,20,000/- whereas the Government valuation was Rs. 51,90,000/-. Therefore, the lands were purchased by the petitioner and his wife at one third of the Government valuation which clearly demonstrates the mala-fide intention of the informant.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

BKS/-

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