

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76708 of 2023

Arising Out of PS. Case No.-594 Year-2023 Thana- MADHEPURA District- Madhepura

1. Rajendra Yadav, aged about 72 years, male, son of Late Awadh Yadav,
2. Arvind Yadav, aged about 47 years, male, son of Late Jagarnath Yadav,
Both are resident of village- Shripur Dakshinvari, P.S. And Dist.-Madhepura
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Advocate
		Ms. Rabia Gulnaz, Advocate
For the Opposite Party/s :		Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Madhepura PS Case No.594 of 2023 dated 10.06.2023,
instituted under Sections 420, 467, 419, 468, 471 of the Indian
Penal Code.

3. The allegation against the petitioners is that the
petitioner no.1, Rajendra Yadav, has sold some portion of the
ancestral land of the informant to petitioner no.2, Arbind Yadav.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in
this case. It is submitted that there is civil dispute between the
parties. Both the parties are co-sharers of the ancestral property.



It is further submitted that a title suit bearing Title Suit No.131 of 2018 is pending in the Court of the Sub Judge, Madhepura, wherein, the informant is the plaintiff and petitioner no. 1 is the defendant 1st set. It is further submitted that the petitioner no.1 is the “Khatiyani Raiyat” of the land, in question.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura, in Madhepura PS Case No.594 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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