

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76682 of 2023

Arising Out of PS. Case No.-149 Year-2023 Thana- SABAUR District- Bhagalpur

PRDEEP YADAV Son of Mahendra Yadav R/o vill - Gopalpur, P.s. - Sabour,
Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sabour P.S. Case No. 149 of 2023 dated 13.03.2023, instituted for the offence punishable under Sections 341, 323, 147, 385, 387, 308, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on 13.03.2023, the informant had gone to his land at Bansitiker Mauza. It is further alleged that Co-accused namely, Dilip Kumar demanded Rs. 11,00,000/- from him as *rangdari* for *Rasta*. It is further alleged that that there is kacchi road on the way which goes to informant's land. It is further alleged that the informant had paid Rs. 1,50,000/- for said road. It is further alleged that Dilip Yadav demanded Rs. 11 lakhs as Rangdari and



thereafter he will be allowed to use the road to go to his land. It is further alleged, Dilip Yadav called the informant to refund his money and when the informant reached there Dilip Yadav, Pintu Yadav and Pradeep Yadav were present with iron rod and lathi. When the informant raised objection, they assaulted him with rod and lathi due to which informant sustained head injury. Thereafter accused persons and other unknown persons snatched Rs. 9000/- and a golden chain.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner rather the specific allegation is against one co-accused namely, Dilip Yadav. It is next submitted that there is a land dispute with regard to Rasta between Dilip Yadav and informant. Learned counsel further submitted that informant wants to purchase the land of Dilip Yadav for Rasta and when Dilip Yadav refused to give Rasta then the present false case has been lodged. It is further stated that informant has been examined by the doctor and the doctor was of the opinion that the injury is simple in nature. Lastly, it has been submitted that the petitioner has one case against him.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sabour P.S. Case No. 149 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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