

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73336 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- VISHNUPAD District- Gaya

1. NARESH YADAV Son of Late Mathura Yadav R/V- Maranpur, Haveli Road, P.S- Vishnupad, Dist- Gaya
2. Jitendra Yadav Son of Naresh Yadav R/V- Maranpur, Haveli Road, P.S- Vishnupad, Dist- Gaya
3. Upendra Yadav @ Upendra Kumar Son of Naresh Yadav R/V- Maranpur, Haveli Road, P.S- Vishnupad, Dist- Gaya
4. Sikandar Yadav Son of Late Kauleshwar Yadav R/V- Rajapur, P.S- Bodhgaya, Dist- Gaya
5. Mahendra Yadav Son of Late Kauleshwar Yadav R/V- Rajapur, P.S- Bodhgaya. Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 1 by submitting that during pendency of this application the petitioner no.1 has already been apprehended by the police whereas, with regard to petitioner no. 2 he will not press this anticipatory bail application.

Permission is granted.

Accordingly, this application with regard to



petitioner no. 1 is dismissed as withdrawn whereas with regard to petitioner no. 2 is dismissed as not pressed.

Now this application is being heard with regard to petitioners no. 3, 4 and 5.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 384, 341, 323, 504, 506 and 34 of the Indian Penal Code.

As per prosecution case, that on 18.02.2011 a piece of land was purchased by the informant in the name of his wife. It is further alleged that on 04.08.2022 the accused persons came at the plot and stopped the construction work and demanded Rs. 60,00,000/- extortion money and threatened to kill them.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is title suit between the informant and the father of petitioners no. 4 and 5 bearing Title Suit No. 212 of 2014 pending in the court below.



Petitioner no. 3 has got three criminal antecedents, petitioner no. 4 has got one criminal antecedent and petitioner no. 5 has got one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the above named petitioners no. 3, 4 and 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Vishnupad P.S. Case No.174 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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