

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13558 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- MADHEPURA District- Madhepura

1. Ramesh Yadav @ Kailu Yadav @ Umesh Yadav son of Kapildeo Yadav Village- Chakla Ps- Madhepura Dist- Madhepura
2. Tejo Yadav @ Tej Narayan Yadav son of Late Badri Yadav Village- Chakla Ps- Madhepura Dist- Madhepura
3. Charanjeet Yadav @ Charanjeet Kumar son of Niwas yadav Village- Chakla Ps- Madhepura Dist- Madhepura
4. Sukhsen Yadav @ Sukhsen Kumar son of Late Rajo Yadav Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-03-2024 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending their arrest in connection with Madhepura P.S. Case No. 275 of 2023 for the offence under sections 147, 148, 149, 447, 341, 323, 384, 386, 379, 327, 504, 506 of the I.P.C. lodged on 16.03.2023 by the informant, Vishnudev Prasad Yadav.

3. As per the prosecution story, the informant alleged that when he was ploughing his field, the accused persons came and demanded rupees one lakh and upon protest, not only snatched the gold chain, tried to put the tractor on fire.



Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they are agnates, there is admittedly a land dispute and though allegation of assault is there, no injury report is on record. However, the petitioners have criminal antecedent.

5. Learned APP opposes the prayer stating that despite being agnate, not only tried to stop the informant from ploughing the field, also wanted to put the tractor on fire.

6. Taking into account the submissions put forward by the parties as also the allegation, no injury report is on record, FIR lodged and ultimately, will have to face the trial, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 275 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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