

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24260 of 2024

Arising Out of PS. Case No.-94 Year-2023 Thana- SABAUR District- Bhagalpur

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ALOK YADAV @ ALOK KUMAR YADAV S/O LATE NITYANAND
YADAV @ DHANI YADAV R/O VILLAGE- LOVELY NAGAR SABOUR,
P.S- SABOUR, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeshkumar Singh, Adv.
For the Opposite Party/s : Mr.Manoj Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 447, 307, 325,
504, 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 14.02.2023
in the morning, when the informant Navin Kumar was raising
boundary on his land, the petitioner came there and demanded
Rs. 50,000/- as ransom. On protest, the petitioner brought
dabia and assaulted the informant due to which the informant
received cut injury upon his little left finger. It is also alleged
that the petitioner took the informant's golden chain and Rs.



3100/- cash from the pocket of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has committed no offence. No such occurrence as alleged in the FIR has ever taken place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is admitted land dispute between the parties and for the same reason, the present false case has been lodged by the informant against the petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application and he is in custody since 27.09.2023.

5. Learned APP for the State opposes the prayer for bail and submits that there is serious allegation against the petitioner to assault the informant by means of *dabia* due to which the informant sustained grievous injury. Hence, the petitioner does not deserve to be enlarged on bail.

6. Considering the facts and circumstances of the case and the period of custody as well as the fact that there is admitted land dispute between the parties, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with



two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, in connection with Sabour P.S. Case No. 94 of 2023.

(Anjani Kumar Sharan, J)

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