

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33646 of 2024

Arising Out of PS. Case No.-161 Year-2023 Thana- GWALPARA District- Madhepura

Mukund Yadav @ Makum Yadav Son of Late Kunj Bihari Yadav Resident of
Village - Sukhasan, Ward No.- 11, Police Station - Gwalpara, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
Mr. Manoj Kumar

For the Opposite Party/s : Ms. Pooja Prasad
Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
379, 354(B), 384, 386, 387, 504, 506 and 34 of the Indian Penal
Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 17.08.2023 when her son objected the accused
persons to put materials over his land on which he was assaulted.
It is further alleged that on orders of Nityanand Yadav, petitioner
caught the hair of the informant and dragged her on account of
which she got disrobed, further Nityannad Yadav demanded
ransom of Rs. 5 lakhs in lieu of the vacant land of the informant's



son, further Nitish is alleged to have snatched the golden chain from the neck of the informant.

4. Learned counsel for the petitioner submits that on account of dispute relating to land, the petitioner has been falsely implicated in the present case with ornamental allegation of disrobing the informant. It is next submitted that the FIR was instituted after a delay of three days and the allegation of demanding ransom is against other co-accused persons, but then the same is also ornamental. It is next submitted that the petitioner will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that these days in Bihar land grabbing is rampant and further from tenor of the allegation as alleged in the FIR, it would manifest that the informant has not alleged any exaggerated allegation rather it appears what transpired at the place of occurrence, the same is alleged, but then fairly submits that petitioner has no criminal antecedent.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand)



with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gwalpara (Arar O.P.) P.S. Case No. 161 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his cousin brother, Arun Kumar.

8. Learned counsel for the petitioner, at this stage, submits that father of the petitioner died prior to institution of the instant FIR but inadvertently in the anticipatory bail application, the word "Late" has not been prefixed before his name and thus seeks permission to rectify the father's name of the petitioner by prefixing "Late" before his name.

9. Permission is accorded.

(Satyavrat Verma, J)

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