

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36290 of 2024

Arising Out of PS. Case No.-316 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Sampati Lal Yadav @ Sampat Lal Yadav SON OF LATE LAKSHMI YADAV Resident of Village- Kasiyam, Tole- Nirmala, Police Station- Lakhnaur District-Madhubani
 2. ADHIK LAL YADAV SON OF LATE LAKSHMI YADAV Resident of Village- Kasiyam, Tole- Nirmala, Police Station- Lakhnaur District-Madhubani
 3. SHOBHIT LAL YADAV SON OF LATE LAKSHMI YADAV Resident of Village- Kasiyam, Tole- Nirmala, Police Station- Lakhnaur District-Madhubani
 4. DHANIK LAL YADAV SON OF LATE LAKSHMI YADAV Resident of Village- Kasiyam, Tole- Nirmala, Police Station- Lakhnaur District-Madhubani
 5. SURYA NARAYAN YADAV SON OF LATE YADU NANDAN YADAV Resident of Village- Kasiyam, Tole- Nirmala, Police Station- Lakhnaur District-Madhubani
 6. SHIV NARAYAN YADAV SON OF LATE KHOKHAN YADAV Resident of Village- Lakhnaur, Tole- Belhi, Police Station- Lakhnaur District-Madhubani
 7. RAJENDRA YADAV SON OF LATE MAHABIR YADAV Resident of Village- Lakhnaur, Tole- Belhi, Police Station- Lakhnaur District-Madhubani
 8. Shiv Shekhar Yadav son of Late Ram Sharan Yadav Resident of Village- Lakhnaur, Tole- Belhi, Police Station- Lakhnaur District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. KUMAR RAHUL SON OF SHRI MAHESH PRASAD YADAV Resident of Village- Lakhnaur , Tole- Belhi, Police Station- Lakhnaur District-Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ashok Kumar Prasad, Adv.
For the Opposite Party/s :	Mr.Binod Kumar, APP
	Mrs.Madhubala Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners, learned counsel



for the complainant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 420/120(B)/467/468 of the IPC and later on cognizance has been taken u/s 417/420/120(B) IPC.

3. As per the prosecution case, complainant and one Pappu Yadav (accused no.1) are full brothers and Pappu Yadav used to live separately from his father and brothers, after taking his share in the property. It is alleged that father of the complainant was in loan and wanted to sell his land, therefore, the complainant and his other brothers jointly bought the land from his father and assumed the possession of the said land. It is alleged that thereafter, Pappu Yadav and his wife under a conspiracy sold the land to the accused persons by claiming it their own land and executed a sale deed.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. There is a land dispute between the parties. Complainant and the accused no.1 Pappu Yadav are the full brothers and partition suit is pending in the Court below. Petitioner nos.1 to 5 are the purchasers and petitioner nos.6 to 8 are witnesses of the alleged sale deed of land. Petitioner nos.2 to 5 have one criminal antecedent,



petitioner no.7 has five criminal antecedent, petitioner no.8 has two criminal antecedent and petitioner no.6 has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail but has not denied this fact that the said land does not belong to the accused no.1.

6. Having regard to the facts and circumstances of the case, since there is a civil dispute between the parties, let the above named petitioners, 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 court below where the case is pending/Successor Court in connection with C.R. No.316 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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