

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56237 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- TANKUPPA District- Gaya

1. Arvind Yadav son of Parmeshwar Yadav Village- Khabhra Ps- Tankuppa Dist- Gaya
2. Sarju Yadav son of Late Komal Yadav Village- Khabhra Ps- Tankuppa Dist- Gaya
3. Randhir Yadav @ Randhir Kumar son of Suresh Yadav Village- Khabhra Ps- Tankuppa Dist- Gaya
4. Mukesh Yadav @ Mukesh Kumar son of Suresh Yadav Village- Khabhra Ps- Tankuppa Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 504, 384, 386, 379, 323 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases and the informant alleges that he owns and possesses a piece of land in the name of his mother and the land is in his cultivating possession for the last 45 years, further on 16-1-2024, at 9 a.m., he had gone to



plough the field, when accused persons including the petitioners came variously armed and Randhir and Suresh threatened with gun, while Mukesh put *garasa* on his neck and threatened to cut the neck if he does not leave the land, further, Mukesh assaulted him by butt of gun on his back and he fell and thereafter the accused demanded one bigha of land by way of extortion, further, Suresh and Mukesh snatched his watch and Rs. 5,000/-.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that date of occurrence is 16-1-2024 and the FIR came to be instituted on 24-1-2024, i.e., after a delay of eight days, which casts an aspersion on the case of the prosecution. It is also submitted that petitioner Nos. 2 and 3 reside at Gujarat. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not inspire confidence for the reason that no details of the land or sale-deed has been mentioned in the FIR. It is next submitted that informant is trying to take possession of a government land, which is located in front of the land of the petitioners, on which the petitioners had objected as such the instant false case with cryptic allegation came to be instituted. It is also submitted that petitioners will not be abscond rather will



co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Tankuppa P.S. Case No. 05 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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