

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67376 of 2024

Arising Out of PS. Case No.-278 Year-2024 Thana- PARBATTa District- Khagaria

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1. Dhiraj Kumar S/O Late Dinkar Prasad Yadav Resident of Village- Lagar, P.S- Parbatta, District- Khagaria
 2. Pankaj Kumar S/O Late Dinkar Prasad Yadav Resident of Village- Lagar, P.S- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neeraj Kumar S/O Late Dinkar Prasad Yadav R/O Village- Lagar, P.S- Parbatta, Distt.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh, Advocate
For the Informant	:	Ms. Aishwarya Singh, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr. Santosh Kumar Singh, learned counsel for the petitioners, Ms. Aishwarya Singh, learned counsel for the Informant and Mr. Taryun Prasad Mandal, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 278 of 2024, F.I.R. dated 06.07.2024 registered for the offences punishable under Sections 341, 342, 323, 385, 420, 504, 506, 354(A)/34 of the Indian Penal Code.

3. Allegation against the petitioners is that they had used the land of the husband of the informant for the business of



brick kiln and also demanded Rs. 15,00,000/- as ransom.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case due to admitted land dispute between the parties and the informant is own sister-in-law of the petitioners. He further submits the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 29.06.2024 but the present F.I.R. was instituted on 06.07.2024 after delay of eight days without giving any explanation of delay. He further submits that the petitioners are using their land which they have received in the partition amongst the brothers and from perusal of the F.I.R. it appears that the demand of Rs. 15,00,000/- is false and it appears from the F.I.R. itself that in presence of the police party the petitioners have assaulted to the informant's side.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners have used the land of the husband of the informant and they have also demanded Rs. 15,00,000/- as ransom and



part from that that the petitioners carry one more case other than the present one.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 278 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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