

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69713 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Arbind Yadav, Son of Siyaram Yadav, Resident of Village - Welo, Ward No. 7, P.S. - Murliganj, District- Madhepura
2. Arjun Yadav, Son of Siyaram Yadav, Resident of Village - Welo, Ward No. 7, P.S. - Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
		Mr. Manoj Kumar, Advocate
		Mr. Pooja Prasad, Advocate
For the Opposite Party/s :		Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-10-2024 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. At the outset, learned Advocate for the petitioners submits that during the pendency of the present application, the petitioner no. 1 has got arrested and, as such, the prayer for bail of the petitioner no. 1 has become infructuous.

3. The petitioner no. 2 apprehends his arrest in connection with Murliganj P.S. Case No. 135 of 2023, registered for the offences punishable under Sections 341, 323, 384, 353, 427, 504, 506 and 34 of the Indian Penal Code.

4. The allegation against the accused persons



including the petitioner no. 2 is of demand of ransom and damaging the tube-well and restraining the informant to construct the toilet.

5. Drawing the attention of this Court to the narrations made in the FIR, learned Advocate for the petitioner contended that the omnibus allegation has been levelled against all the accused persons. Save and except the petitioner no. 2 being a name lender, there is no allegation of any overt act. It is further contended that there is an admitted dispute between the parties in respect of which a Title Suit No. 40 of 2015 is pending before the learned Sub-Judge, Madhepura. So far the petitioner no. 2 is concerned, though he is having one criminal antecedent, but now he is on bail. The petitioner no. 2 undertakes that he will fully cooperate in the proceeding of the Court, and never indulge in intimidating the informant and witnesses.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner no. 2 has actively participated in the crime.

7. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the land dispute pending between the parties and the investigation being complete, let the petitioner no. 2 above



named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhepura in connection with Murliganj P.S. Case No. 135 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner no. 2.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

