

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.887 of 2024

Arising Out of PS. Case No.-346 Year-2023 Thana- GOPALPUR District- Bhagalpur

Pranay Yadav @ Pranav Kumar S/O Late Prabhash Chandra Yadav Village-
Sadhopur, Ps. Rangra O.P. Dist. Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant/s	:	Mr. Rajiv Ranjan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with
Gopalpur (Rangra) P.S. Case No. 346 of 2023 lodged under
Sections 147, 148, 149, 342, 323, 384, 385, 406, 420, 427 and
506 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against nine named accused persons against whom there
is allegation that the informant has deposited Rs.8 lac to the
husband of Prabha Rani (owner of the land) for agreement for
sale and subsequently, they have handed over the land to the
informant. In this regard, Prabha Rani and his son, namely,
Rajiv Ranjan have also created a written agreement in favour of
the informant on 15.10.2022. After death of husband of Prabha
Rani, his son has started disturbing and on his instance, the



accused persons including the petitioner started disturbing and demanding Rs.5 lac as ransom and asked the informant's person not to do agricultural work.

4. Learned counsel for the petitioner submits that the petitioner has nothing to do with the Prabha Rani and the informant. He is completely stranger to those transactions. He has nothing to do with the land and all the allegations are incorrect which is made in the F.I.R..

5. Counsel further submits that petitioner's antecedent is not clean and there are two criminal cases pending against the petitioner in which he is on bail. Counsel submits that he is in custody since 10.10.2023. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Counsel also submits that he is ready to file an affidavit before the trial court at the time of bail that he shall not disturb the karpardar of the informant, namely, Barun Yadav in doing the agricultural work in any manner whatsoever it may be.

7. Counsel for the informant vehemently opposes the prayer for bail and submits that petitioner and others are disturbing the informant's person in doing the agricultural work



in various way due to this reason, there are two criminal cases filed by them in which one is the present case and another case is also pending in which he is on bail.

8. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail, criminal antecedent may be taken into consideration.

9. Counsel also submits that undertaking from the petitioner is necessary to be taken so that he shall not disturb the person of the informant.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st Naugachhia in connection with Gopalpur (Rangra) P.S. Case No. 346 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

11. However, the trial court is directed that at the time releasing the petitioner on bail, the said undertaking on affidavit shall be made by the petitioner that he shall not disturb the person of the informant in any manner whatsoever shall be in future and upon receiving such complaint again in future, the trial court is free to cancel the bail of the petitioner.

(Dr. Anshuman, J.)

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