

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7447 of 2025**

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

SUSHIL YADAV @ SANIL KUMAR S/o- Siyaram Yadav Village- Belo  
W.No-7, Ps- Murliganj Diust- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                                       |
|----------------------------|---|-------------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Sharda Nand Mishra with<br>Mr. Atul Kumar,<br>Mr. Dhandev Kumar and<br>Mr. Deepak Kumar, Advocates |
| For the Opposite Party/s : |   | Mr.Ram Anurag Singh, APP                                                                              |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      14-02-2025                      Heard learned Advocate appearing on behalf of the  
  
petitioner and the learned Additional Public Prosecutor for the  
  
State.

2. The petitioner 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.

3. The allegation against all the accused persons,  
including the petitioner, is of demand of ransom and damaging  
the tube-well and restraining the informant to construct the  
toilet.

4. 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 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 Civil Judge, Madhepura. It is also contended that one of the co-accused person, who was facing identical allegation, has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 69713 of 2024 vide order dated 23.10.2024. The petitioner undertakes that he will fully cooperate in the proceeding of the Court, and will never indulge in intimidating the informant and witnesses.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner has actively participated in the crime.

6. 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 also the fact that co-accused person having identical allegation has been allowed the privilege of anticipatory bail by this Court, let the petitioner 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 1<sup>st</sup> 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.

**(Harish Kumar, J)**

Anjani/-

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