

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17427 of 2025

Arising Out of PS. Case No.-353 Year-2017 Thana- TEKARI District- Gaya

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1. Virendra Kumar @ Virendra Yadav Son of Late Musafir Yadav Resident of Village - Kesho Bigha, P.S. - Tekari, District - Gaya
 2. Nagendra Kumar @ Dara Son of Late Musafir Yadav Resident of Village - Kesho Bigha, P.S. - Tekari, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajendra Yadav S/o Bhuneshwar Yadav R/o Village- Keso Bigha, P.S.- Tekari, District-Gaya,

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the Informant	:	Mr. Ajay Kumar Sinha, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-07-2025 Heard Mr. Aryan Singh, learned counsel for the petitioners, Mr. Ajay Kumar Sinha, learned counsel for the Informant and Mr. Anil Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Tekari P.S. Case No. 353 of 2017, F.I.R. dated 04.09.2017 registered for the offences punishable under Sections 147, 148, 149, 384, 419, 420, 467, 468, 471, 341, 323, 379, 504, 506, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that when the informant was sitting with his family members, accused persons



came and gave threat that the informant has to withdraw the case and made a demand of Rs. 5,00,000/- (Five lacs) by way of ransom and on refusal the informant was assaulted.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that 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 and from perusal of the F.I.R., the allegation against the petitioners are that they have impersonated one Rampari Devi and executed a sale deed. Learned counsel for the petitioner further submits that from perusal of the F.I.R./complaint petition it is not clear how the informant is affected from the aforesaid transaction and apart from that the informant is not in a position to produce the sale deed which was executed by the so-called Rampari Devi in the year 2017 and even he has not mentioned in the F.I.R./complaint petition that on which date the said sale deed was executed only bald statement in the complaint petition.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, on the basis of material available on record and the case diary has opposed the prayer for anticipatory bail of the petitioners and submits that it



has come during investigation that the petitioners were involved in the present crime in question but fairly submits that the prosecution has also not obtained the sale deed which was the subject matter of the present case.

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, Gaya in connection with Tekari P.S. Case No. 353 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 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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