

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18039 of 2025**

Arising Out of PS. Case No.-208 Year-2024 Thana- SALAKHUA District- Saharsa

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1. Raja Kumar @ Raj Kumar, Male, aged about 26 years, S/O Prem Yadav
  2. Mukesh Kumar, Male, aged about 20 years, S/O Prem Yadav
- Both are R/O Village- Khajuraha, Ward No.-16, Post- Harewa, P.S- Salkhua, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashish Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      14-05-2025                      Heard Mr. Ashish Kumar Sinha, learned counsel  
  
appearing on behalf of the petitioners and Mr. Akshay Lal  
  
Pandit, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection  
with Salkhua P.S. Case No. 208/2024 registered for the  
offence(s) punishable under Sections 126(2), 127(2), 115(2),  
118(1), 117(2), 109, 305, 351(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the accused  
persons named therein including the petitioners for non-  
fulfillment of demand of extortion of Rs.50,000/- with a  
common intention to kill the informant and his family members  
assaulted them brutally, in which one Varun Yadav, father of the



informant sustained grievous injury on different parts of the body. The accused persons also forcibly took Rs.80,000/- from them.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. He further submitted that specific allegation of assaulting the father of the informant by means of iron rod is against co-accused Shyam Yadav. Petitioners and informant are agnates and there is land dispute between them . Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He submitted that from the material which has been collected in course of investigation, petitioners' complicity in the commission of the offence cannot be ruled out. The independent witness has informed that co-accused Mukesh Kumar (petitioner no.2) had taken away of Rs.80,000/-.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the material collected in course of the investigation, I find that petitioner has given specific information in paragraph no.7 of the bail application that both



the parties are agnates and due to land dispute, petitioners have been made accused in the present FIR. Specific allegation of assault upon the person of the father of the informant is against co-accused Shyam Yadav. The petitioners, who are having clean antecedents, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 Judicial Magistrate 1<sup>st</sup> Class, Saharsa in connection with Salkhua P.S. Case No. 208/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedents of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

**(Purnendu Singh, J)**

Sanjay/-

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