

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20032 of 2025**

Arising Out of PS. Case No.-245 Year-2024 Thana- BHARGAMA District- Araria

Chandan Kumar Yadav @ Gabbar Yadav S/O Late Binod Kumar Yadav @
Binod Yadav R/O Vill.- Raghunathpur, Ward no. 13, P.S.- Bhargama, Dist.-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 14-07-2025 Heard Mr. Gopal Kumar Jha, learned counsel for the
petitioner and Mr. Pranav Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bhargama P.S. Case No. 245 of 2024, F.I.R.
dated 08.08.2024 for the offences punishable under Sections
119(1), 126(2), 115(2), 303(2), 308(2), 352, 351(2)/3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 21.07.2024,
informant's son was assaulted at a farm by the petitioner and
other co-accused persons. It is further alleged that they



threatened him at gunpoint, demanding Rs. 15 lakhs as extortion to allow construction on the land, or else threatened kidnapping and a Rs. 25 lakhs ransom, including threats to the family. Petitioner and other co-accused persons also snatched gold chain of the informant's son. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the allegation as alleged in the F.I.R. is false and fabricated and due to land dispute, the petitioner has falsely been implicated in this case. Learned counsel further submits that one Mutation Revision No. 71 of 2023-24 is pending before the Court of learned A.D.M., Araria between the petitioner and the informant which suggests that land dispute is going on between the parties and due to aforesaid, the petitioner has falsely been implicated in this case.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of



his 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 245 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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