

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22083 of 2025

Arising Out of PS. Case No.-303 Year-2024 Thana- BAGHA District- West Champaran

1. Ajay Yadav S/o- Chanda Yadav Moh- Mahipur Ps- Bagaha District- West Champaran
2. Saurabh Yadav S/o- Chanda Yadav Moh- Mahipur Ps- Bagaha District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 23-07-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel for the petitioners, Mr. Dhananjay Kumar, learned counsel representing the informant and Mr. Sanjay Kumar Tiwary, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bagaha P.S. Case No.303 of 2024 for the offence under Sections 318(4), 338, 336(3), 340(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, lodged on 12.12.2024 by the informant, Ravindra Kishore.

3. As per the prosecution story, the informant alleged that his grandfather had purchased a piece of land and they are also in physical possession. Later, the informant's father sold the land to Lakhichand Sah and others in the year 1977. The allegation is that Chanda Yadav, who holds command in the society, wanted to purchase the informant's land in the name of



his two sons (petitioners herein). Pursuant to the fake sale deed, on 10.12.2024, they wanted to capture the land, which followed the F.I.R.

4. Learned counsel for the petitioners submits that there is civil dispute between the informant and Chanda Yadav and he got the fake sale deed executed in the name of his two sons, who are the petitioners herein, save and except that no role of the two petitioners are recorded. He submits that, at best, the allegation can be levelled against Chanda Yadav.

5. Learned counsel for the informant opposes the prayer and submits that both the petitioners have criminal antecedent and the fact that the sale deed was executed in their favor, they cannot exonerate themselves from the allegations levelled.

6. Considering the submissions put forward by the parties as also the fact that allegation is mainly against Chanda Yadav and other accused persons, who tried to capture the land, though Chanda Yadav had got the sale deed executed in the name of his two sons who are present petitioners, no further role has been assigned, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of like amount each to the satisfaction of learned court of A.C.J.M.-1st, Bagaha, West Champaran, in connection with Bagaha P.S. Case No.303 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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/her bail bond by the Trial Court itself;

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

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

(Rajiv Roy, J)

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