

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37801 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- PALASI District- Araria

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1. Chandan Yadav S/O Late Ganesh Lal Yadav Resident of Village - Kankhudiya, P.S.- Palasi, District- Araria.
 2. Shivanand Yadav S/O Late Ganesh Lal Yadav Resident of Village - Kankhudiya, P.S.- Palasi, District- Araria.
 3. Santosh Yadav @ Santosh Kumar Yadav S/O Late Kanhaiya Yadav R/O Village- Jahanpur, P.S- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jugunu Devi W/O Dr. Dirgha Narayan Singh R/O Village- Bakainiya, P.S- Palasi, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP
For the Informant	:	Ms. Surbhi Bhushan, Advocate
		Mr. Amrendra Nath Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2025 Heard Mr. Raj Kumar, learned counsel for the petitioners, Mr. Chandra Bhushan Prasad, learned APP for the State and Ms. Surbhi Bhushan, learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Palasi P.S. Case No. 89 of 2024, F.I.R. dated 09.03.2024 for the offences punishable under Sections 419, 420, 467, 468, 384, 120B of the Indian Penal Code.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have prepared forged *khatiyani* with the wrong intention of extortion of money.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been 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 offences as alleged in the F.I.R. In fact, the land in question is the subject matter to the Title Suit No. 621 of 2023 and the informant's family is also a party in the aforesaid suit.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the subject matter of the land in question is also the subject matter of the Title Suit No. 621 of 2023, which is pending before the competent Court of law for consideration, 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.- 1st Class, Araria in connection with Palasi P.S. Case No. 89 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482 (2) of the BNSS, 2023 and with other following conditions:-



i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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