

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37158 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- MASAUDHI District- Patna

-
1. Jitendra Yadav @ Jitendra Kumar @ Shyam Nandan Yadav S/o Ramakant Yadav @ Vilash Yadav Resident of Village- Nauabag, P.S.- Masaurhi, District-Patna.
 2. Randhir Yadav @ Randhir Kumar Son of Ramakant Yadav @ Vilash Yadav Resident of Village- Nauabag, P.S.- Masaurhi, District-Patna.
 3. Dwarika Yadav @ Dwarika Prasad Son of Late Bhagedan Prasad Resident of Village- Mathourha, Police Station-Masaurhi, District- Patna.
 4. Bijay Kumar Son of Nand Kishore Singh Resident of Village- Dhanichak, Police Station-Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Nandan Yadav Son of Late Bhikhari Yadav Resident of Village- Nauabag, P.S.- Masaurhi, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Masaurhi P.S. Case No.125 of 2025 for the offence under Sections 318(4), 316(2) of the BNS, 2023, lodged on 11.02.2025 by the informant, Shyamnandan Yadav.

3. As per the prosecution story, the informant, who is the agnate of the petitioner alleged that in the land acquisition case, the amount of the informant's acquired land was also withdrawn by the petitioners from the State causing financial



loss to him. This led to the FIR.

4. Learned counsel for the petitioner submits that though under bonafide belief that the land belongs to them, the alleged withdrawal of rupees nine lacs was made, upon the allegation that it belongs to the other side, in the year 2018, itself, was returned, however, seven years later the present case which is pure civil dispute in nature.

5. Learned APP opposes the prayer submitting that earlier bail was amongst.

6. Considering the submissions put forward by the parties as also the fact that the FIR is there, the claim of the petitioners is/are that they have returned the amount of the informant in the year 2018, itself, they shall be diligently appearing in the trial in that background, this Court is inclined to extend him the privilege of anticipatory bail which is subject to the verification of the Court whether the alleged amount stands returned in the year 2018 or not.

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) each, with two sureties of like amount each to the satisfaction of learned SDJM, Masaurhi, District-Patna, in



connection with Masaurhi P.S. Case No.125 of 2025 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 petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 petitioner 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 petitioner 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)

Saurav/-

U		T	
---	--	---	--

