

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45848 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- BAGHA District- West Champaran

Melhu Yadav @ Malhu Yadav S/o Kamal Yadav R/o Village- Sohgi Barwa,
P.s - Bagaha Nadi Thana, District- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manaur Alam, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Mr.Manaur Alam, learned counsel for the
petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bagaha P.S. Case No.284 of 2024,
G.R.No.1691/2024, FIR dated 19.11.2024 registered for the
offences punishable under Sections 126(2), 115(2), 117(2), 109,
303(2), 352, 351(2), 3(5) of B.N.S..

3. According to prosecution case, the petitioner along
with other FIR named accused persons destroyed the paddy crop
of the informant and they also assaulted the informant and his
family members. It is further alleged that co-accused person,
namely, Ranjan Yadav demanded Rs.5,00,000/- as extortion
from the informant and threatened to kill him and also snatched
Rs. 1,000/- from him.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place and there is case and counter case. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is allegation against the petitioner that he alongwith other co-accused persons have assaulted to the family members of the informant and co-accused person, namely, Ranjan Yadav, against whom the direct allegation that he assaulted to the nephew of the informant, has been granted privilege of anticipatory bail by this Court vide order dated 19.06.2025 passed in Cr. Misc. No.25448 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and co-accused person, namely, Ranjan Yadav, against whom the direct allegation that he assaulted to the nephew of the informant, has been granted privilege of anticipatory bail by this Court, 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 learned A.C.J.M.-1st, Bagaha, West Champaran in connection with Bagaha P.S. Case No.284 of 2024, G.R.No.1691/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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