

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75873 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Akhilesh Yadav @ Akhilesh Kumar S/o- Sabyasachi Yadav @ Siyaram Yadav resident of village- Jorgama ward no 08 Ps- Murliganj District- Madhepura
2. Awadhesh Yadav @ Awadhesh Kumar S/o- Sabyasachi Yadav @ Siyaram Yadav resident of village- Jorgama ward no 08 Ps- Murliganj District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Chand Prasad, Adv. Mr.Manoj Kumar, Adv. Mrs. Pooja Prasad, Adv.
For the Opposite Party/s :		Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. Learned Counsel for the petitioners submits that inadvertently, Section 5/25(i) of the Arms Act could not be added earlier in the bail petition.

3. let it be directed to add the said section in the main bail petition in course of the day.

4. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Murliganj P.S. Case No.186 of 2023 under Sections 341, 353, 384, 386, 504, 506/34 of the Indian Penal Code and later on



section 5/25(i) of the Arms Act has been added.

5. As per the prosecution, the FIR has been lodged against three named accused persons including the petitioners against whom the informant has alleged that the land of Bihar Government bearing Khata No.521, Khesra No.3228, Area 18 Decimal appertaining to Mauza Jorgama, Thana No.260, Ward No.8 Anchal- Murliganj, Madhepura, was not vacated by the petitioners and demanded ransom Rs.5 lac and stopped the informant by doing the Government work on the same.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that actually the said land belongs to the petitioners and when the Government Officials started forceful construction of the said land, the petitioners were opposed and they issued legal notice under section 80 of the Code of Civil Procedure and, thereafter, father of the petitioners filed Title Suit No.462 of 2023.

7. Learned Counsel further submits that the present case is a retaliation of the stoppage from the construction of his land lawfully.

8. Learned Counsel also submits that petitioners' antecedent are clean.



9. Learned APP for the State opposes the prayer for bail.

10. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-1st Class, Madhepura in connection with Murliganj P.S. Case No.186 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

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

(Dr. Anshuman, J.)

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