

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73134 of 2025

Arising Out of PS. Case No.-827 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Mukesh Yadav @ Mukesh Kumar S/O Surendra Yadav R/O Village- Chhabilapur road, Panchrukhiya Kuan, P.S.- Rajgir, District- Nalanda
 2. Surendra Yadav S/O Late Churaman Yadav R/O Village- Chhabilapur road, Panchrukhiya Kuan, P.S.- Rajgir, District- Nalanda
 3. Karu Yadav @ Dharmendra Yadav S/O Matlu Yadav @ Akhilesh Yadav R/O Village- Chhabilapur road, Panchrukhiya Kuan, P.S.- Rajgir, District- Nalanda

... .. Petitioners

Versus

1. The State of Bihar
2. Nivas Kumar Son of Anil Kumar Singh Resident of Village- Chhabilapur, Rajgir Road, Near Sujata Hotel, P.S.- Rajgir, Distt.- Nalanda

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-11-2025 Heard Mr. Pramod Kumar Sinha, learned Advocate

for the petitioners and Mr. Anand Kishore Choudhary, learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Complaint Case No. 827C of 2019, registered for the
offences punishable under Sections 341, 323, 504, 384/34 of the
Indian Penal Code.

3. It is submitted that for the same incidence, two
cases have been instituted, one by the present complainant and
another by the father of the complainant with the allegation that



while the complainant was sitting at his door, in the meanwhile, all the FIR named accused persons and 20 unknown persons variously armed were trying to fix a *Gumti* over the land of the complainant, on protest being made petitioner No.1 assaulted on his right leg by iron rod and other accused persons assaulted him by fists and slaps. There is further allegation of snatching of Rs. One thousand.

4. Learned Advocate for the petitioners submitted that there is admitted land dispute between the parties leading to institution of a Title Appeal No. 34 of 2013, which is pending before the learned court below. So far the FIR instituted by the father of the complainant is concerned, the petitioners have already been allowed the privilege of bail. Since the petitioners were not aware with regard to the institution of present complaint case and, for the first time, bailable warrant has been issued on 13.12.2019, but the same has never been executed. Recently, on 25.06.2025 when non-bailable warrant has been issued against the petitioners, they came to know and, thus, approached this Court for grant of anticipatory bail.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners were evading their arrest for the last six years;



moreover, there is specific allegation of assault against them.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions made by the learned Advocate for the petitioners that for the same incidence two cases have been instituted; besides the pending land dispute and issuance of the non-bailable warrant in recent past, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Complaint Case No. 827C of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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