

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83862 of 2024**

Arising Out of PS. Case No.-503 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Subhash Yadav Son of Mainegar Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
2. Hashinadar Yadav Son of Sanchit Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
3. Munni Yadav Son of Late Bhairo Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
4. Jagarnath Yadav @ Jagarnath Rai @ Jagranath Yadav Son of Late Dhyan Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
5. Gobardhan Yadav @ Govardhan Yadav Son of Dhrup Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
6. Amresh Yadav Son of Dhrup Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
7. Binda Yadav Son of Palakdhari Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
8. Tej Bahadur Sahni @ Tej Bahadur Sahani Son of Late Kapil Dev Sahni @ Late Kapil Dev Sahani Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
9. Devlal Yadav Son of Dhyan Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran
10. Chuman Yadav @ Chuman Rai Son of Late Gyani Yadav Resident of Village- Bahuarawa, Bairathpur, Ward No. 01, P.S.- Majhaulia, Bettiah and District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Mayank Mohan, Advocate        |
| For the Opposite Party/s | : | Mrs. Dr. Indihar Kumari, APP      |
| For the Informant        | : | Mr. Umesh Chandra Verma, Advocate |
|                          |   | Mr. Hemant Ray, Advocate          |

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**



ORAL ORDER

3      12-05-2025                      Heard Learned Counsel for the petitioners, Learned Counsel for the Informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Majhauria P.S. Case No. 503 of 2024, lodged on 10.08.2024, under Sections 147/149/385/420 of the I.P.C.

3. As per the prosecution, FIR has been lodged against ten named accused persons (all petitioners) against whom there is an allegation that all accused persons in connivance with each other illegally came on the land of the informant with tractor and started ploughing. Intimation in this regard has been given to the police station and police has called to both the parties and instructed to resolve the dispute by conciliation, but petitioners are not ready and it has been alleged that by virtue of forged and fabricated document the accused persons used to grab the land of the informant by ransom and powerful means.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the land in question is the purchased land of the petitioners which is Annexure-2 series. They also submit that



for the said land, the case and counter case has also been filed from the petitioners' side bearing Majhauria P.S. Case No. 523 of 2019. Counsel submits that it is true that antecedent of the petitioners are not clean. Against all accused persons criminal cases were lodged. He submits that there is case and counter case for the same date and place of occurrence and this aspect may be taken into consideration. Counsel also submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned Counsel for the Informant vehemently opposes the prayer for bail and submits that the said land, which the petitioners alleged to have purchased in the year 2019 is basically already purchased by him in the year 2015 and some portion of land has further been purchased in the year 2023. Counsel also submits that the Jamabandi of the said land is also going on in the name of the informant. It has also been mentioned by him that when police called and demanded all documents with respect to land they have not provided the same.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the Sessions Court at the time of consideration of bail petition of the petitioner has



acknowledged that the Jamabandi of the said land was created by virtue of registry in the name of the informant.

7. In the present facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, anticipatory bail application of petitioners is hereby rejected. However, in the event of surrender of the petitioners within six weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

**(Dr. Anshuman, J)**

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