

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89586 of 2024

Arising Out of PS. Case No.-353 Year-2017 Thana- TEKARI District- Gaya

Mahendra Yadav @ Mahendra Prasad S/O Musafir Yadav Resident of village-
Kesho Bigha,P.S- Tekari, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Tekari P.S. Case No. 353 of 2017, registered for the offences under Sections 147, 148, 149, 384, 419, 420, 467, 468, 471, 341, 323, 379, 504, 506 and 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and other co-accused persons entered into the house of the informant and threatened him to take back the case lodged in Tekari and also demanded Rs. 5,00,000/- as extortion. Further, allegation against the petitioner and other co-accused persons is that they got some land registered by a lady impersonating one Rampari Devi through relinquishment deed.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The occurrence is stated to have taken place from 07.01.2017 to 22.03.2017 but the FIR was lodged on 04.09.2017. Background of land dispute is apparent from the complaint petition itself and the complainant has earlier lodged a case against the petitioner and others in Tekari. Learned counsel further submits that so far as allegation of registration of sale deed or relinquishment deed is concerned, the same shows civil nature of dispute. Moreover, the complainant has not disclosed how he came to know about such act of the petitioner or other co-accused persons. Petitioner has been made accused in four cases and he is on bail in all such cases. Petitioner is in custody since 28.09.2024 and charge-sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties



of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/concerned court, in connection with Tekari P.S. Case No. 353 of 2017, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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