

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2249 of 2025

Arising Out of PS. Case No.-78 Year-2022 Thana- ISHUPUR BARAHAT District- Bhagalpur

Doman Yadav @ Shiv Kumar Yadav S/O Late Ramprit Yadav R/o Village-
Kamalchak, P.S.-Ishipur Barahat, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 436, 354(B), 384, 386, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including petitioner came with Tractor and Drill Machine and installed pillar on the land of informant and set the straw shed of cattle on fire, due to which, one she goat died. It is further alleged that when informant made protest, the accused persons made obscene act, confined her & entire family members in the house and threw the articles hither & thither. Thereafter, accused persons threatened informant and her family to leave the house, otherwise they would be killed and also demanded Rs. five Lacs, as ransom.



4. Learned counsel for the petitioners submits that as a matter of fact, land dispute is going on between the parties over a piece of land appertaining to Khata no. 56, Khesra No. 56 of Mauza Kamalchak under Pirpainti block (Bhagalpur) and as per oral partition, all the co-sharers are in possession of their allotted shared property. Petitioners are also in peaceful possession of the land in question, but the husband of informant fraudulently got the aforesaid land mutated in his favour, against which, petitioners filed an appeal, vide Mutation Appeal No. 114 of 2023-24, which was allowed in favour of petitioners, but in order to put pressure and settle the civil dispute, this false and concocted case has been lodged. Allegation of assault is general and omnibus and no specific overt act has been alleged against petitioners.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur



in connection with Ishihpur Barahat P.S. Case No. 78 of 2022,
corresponding to G.R. No. 3142 of 2022, subject to condition as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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