

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39785 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Shankar Yadav S/O Late Ganesh Yadav R/O Village Naya Tola, Agarpur, P.S Lodipur, District Bhagalpur
 2. Shekhar Yadav @Shaikhar Yadav @ Chandra Shekhar Yadav S/O Shankar Yadav R/O Village Naya Tola, Agarpur, P.S Lodipur, District Bhagalpur

... .. Petitioners

Versus

1. The State of Bihar
2. Mulo Devi W/O Naro Yadav R/O Village Naya Tola, Agarpur, P.S Lodipur, District Bhagalpur

... .. Opposite Parties

Appearance :
For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP
For the Informant : Mr. Swapnil Kumar Singh, Advocate
Mr. Shubham Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Complaint Case No. 178 of 2023 in which cognizance has been taken for the offences punishable under Sections 406, 420, 379, 354B, 467, 468, 470 and 120B/34 of the Indian Penal Code and out of nine persons named in complaint petition, learned Magistrate has summoned six accused including the petitioners. The petitioner no.1 has got four criminal antecedents and out of these cases, he is on bail in



two cases and petitioner no.2 has got two criminal antecedents out of which, he is on bail in one case.

3. As per the complaint, the complainant purchased 19 decimals land from daughter's son (nati) of Rajendra Singh of namely Karu Singh through registered sale deed. It is alleged that in the month of September, 2022 the petitioners along with other accused persons came at the said land and threatened the informant that they have purchased the said land and she should vacate the land. Upon protest by complainant, all the accused persons assaulted the complainant and her husband and fled away. Again on 17.01.2023, the petitioners and other accused persons forcefully entered the house of the complainant and assaulted the complainant and her family members. It is further alleged that the accused person are trying to dispossess the complainant from their house.

4. Learned counsel for the petitioner submits that the entire case is false and concocted, there is no specific allegation of any overt act against the petitioners rather the allegations are general and omnibus in nature. It is further submitted that the matters relates to land dispute for which a title suit has been filed which is pending for adjudication.

5. Learned A.P.P. for the State and learned counsel for



the informant have opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is noticed that the present case has arisen out of a land dispute and the allegations are general and omnibus of forging land papers, however, the petitioners claim to have purchased the same land and also claim possession, a title suit is said to be pending between the parties, in the circumstances, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Complaint Case No. 178 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. And further condition that the learned trial court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the learned trial court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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