

Sanjay Yadav @ Sanjay Kumar Yadav, 41 years, s/o Late Mitto Yadav

.....Petitioner.

Vs

State of Bihar.....Opposite Party

ORDER

27.05.2026. An application for grant of regular bail filed on behalf of above named accused petitioner namely **Sanjay Yadav @ Sanjay Kumar Yadav**, who is in custody since 08-01-2026 in connection with Lodipur P.S. Case No. 33/2025 registered u/Ss 126(2)/115(2)/308(2)/318(4)/338/336(3)/352/351(2) of the B.N.S. pending before the learned Court of S.D.J.M. , Bhagalpur, is put up for hearing.

Heard Mr. Amit Kumar Jha, learned counsel for the petitioner as well as Mr B.K. Sah, learned Addl. P.P. for the State assisted with Mr. Subodh Chandra Sah, learned counsel for the informant.

The prosecution case, in short, is that on 10-02-2025 when informant went over his ancestral land, accused petitioner also reached there and chased him away stating that he has purchased said piece of land and also demanded extortion money. It is further alleged that in the morning of 14-02-2025 when informant again went over his ancestral land, accused petitioner along with others started assaulting him after showing the sale deed to the villagers whereafter informant left the place and on inquiry he came to know that accused petitioner got issued a government receipt from the Circle in respect of the said piece of land on the basis of forged document.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that petitioner bears altogether six criminal cases but is on bail in all those cases. He further submitted that petitioner was dealing in purchasing and selling of the land and due to business rivalry, he has been implicated in this case. According to learned counsel, nothing was delivered by informant and therefore, offence of extortion is not made out and offence of forgery is also not made out as no document has been forged. He lastly submitted that the dispute is of civil nature and prays to enlarge him on bail on the ground of period of custody.

Learned Addl. P.P., assisted with Mr. Subodh Chandra Sah

learned counsel for the informant, on the other hand, vehemently opposed the prayer for grant of bail to the petitioner.

Heard both sides and perused the case record from which it transpires that petitioner is sole accused named in the F.I.R. and carries allegation of committing cheating and extortion and grabbing the ancestral land of informant on the basis of forged documents. It is specifically alleged by the informant in his written report that a piece of land bearing Khesra no. 115 under Khata no. 96, for an area of 48 decimal situated under Thana number 125 is ancestral land of informant but the accused petitioner got the same in his own name in the light of Mutation Case No. 834/2021 - 2022 on the basis of forged Deed No. 185 dated 05-01-1984 allegedly executed by Kartik Mandal in favour of Arjun Paswan. The photocopy of sale deed dated 05-01-1984, available on record, however, is in respect of Khata no. 73, Khesra no. 613 which is different from the land as claimed by the informant. Further, the photocopy of sale deed dated 08-09-1988 is also available on record from perusal of which it transpires that accused petitioner has purchased said piece of land from Rameshwar Pandit and Bhola Pandit. Thus, there is dispute relating to claim over a piece of land between informant and accused petitioner and though the investigation is complete followed by submission of chargesheet against the accused petitioner for the offences punishable u/Ss 126(2)/ 115(2)/308(2)/118(4)/3385/336(3)/340(2)/352/351(2) of the B.N.S. but the verification of Mutation Case No. 834 R – 27/20-21-22 as well as verification of sale deed and other documents is still pending. The dispute is, till date, purely of civil in nature as there is no verdict on the claim of informant by any competent court and the petitioner is in custody since 08-01-2026. Though, petitioner carries six criminal antecedents but is on bail in all those cases. Therefore, taking into account the nature of offence and period of custody, this court is inclined to enlarge this petitioner on bail.

Accordingly, the prayer for regular bail of accused petitioner namely **Sanjay Yadav @ Sanjay Kumar Yadav**, is hereby **allowed**. Accused petitioner is directed to be released on bail on furnishing bail bond of **Rs. 10,000/- (Ten thousand rupees only)** with two sureties of the like amount

each to the satisfaction of the learned Court below with the **conditions** that **1.** one of the sureties shall be close relative of the petitioner and **2.** petitioner shall remain physically present till framing of the charge. Petitioner will also file an **undertaking** that he will not misuse the privileges of bail, will cooperate in the trial and is directed to furnish his mobile number with direction that neither he will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/-

(Prabhat Krishna)

IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	27-05-2026
Date of Reserving judgment/order	-
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