

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61137 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- CIVIL LINE District- Gaya

=====

Rajeev Ranjan Choudhary Son Of Late Chunni Choudhary Mohalla Beldari
Tola, Mahavir Asthan, Gaya, P.S. Civil Lines, District Gaya
... .. Petitioner

Versus

The State of Bihar
... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Gopal Bohra, Advocate
For the Opposite Party : Mr. Mritunjay Kumar Nirala, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Gaya Civil Line P.S. Case No. 257 of 2023 dated 13.04.2023, instituted for the offence punishable under Sections 147, 149, 420, 467, 468, 471, 468, 471, 456, 427 and 379 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other named accused persons as well as 20-25 unknown persons came at the place of occurrence after forming unlawful assembly and with the help of JCB, they demolished the boundary wall of a Government School.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in



this case. On perusal of the F.I.R., it appears that even there is no whisper against the petitioner of any overt act or involvement in any manner in the alleged occurrence. It is submitted that the dispute with regard to land, in question, is the subject matter of Mutation Revision Case No. 89 of 2010 in the Court of District Magistrate-cum-Collector, Gaya. It is further submitted that the petitioner has filed the aforesaid Revision Case for cancellation of *Jamabandi* appertaining to *Khata* No. 102 (old) *Khesra* No. 233 (old), measuring 5.34 acres in the name of Munshi Beni Madhav Prasad. It is further submitted that the petitioner executed the agreement to sale with respect to the land for which *Jamabandi* has been restored in the name of grandfather of the petitioner and this fact has been mentioned in the report of Senior Superintendent of Police, Gaya, (Annexure-P/3). It is further submitted that one co-accused, namely, Sudhir Kumar Singh @ Sudhir Singh has already been granted bail by a co-ordinate Bench of this Court *vide* order dated 17.08.2023 passed in Cr. Misc. No. 38434 of 2023. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Gaya Civil Line P.S. Case No. 257 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Shanu/-

U		T	
---	--	---	--

