

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47696 of 2024

Arising Out of PS. Case No.-995 Year-2023 Thana- KHAGARIA District- Khagaria

Yogendra Choudhary @ Yogendra Singh Son Of Late Harinandan Choudhary
Resident Of Village - Panchkhutti, Ward No. 13, P.O. - Rahimpur, P.S. -
Muffasil, District – Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Khagaria Muffasil P.S. Case No. 995 of 2023, registered for the alleged offence under Sections 420, 409, 467, 468, 471, 379, 506, 120(B), 34 of the Indian Penal Code.

03. As per prosecution case, the petitioner kept the settlement papers of the land belonging to the college of the informant and tried to malign the image of the informant, who is the Principal of the college, as well as the Sub Divisional Officer and tried to hamper the process of settlement of the land.

04. Learned counsel for the petitioner submits that



petitioner is 79 years old and has been falsely implicated in this case at the instance of some persons who have vested interest in the matter only with a view to harass and humiliate the petitioner. The petitioner has got no hands in settlement of land in question as the settlement is made by *Bhu Prbandhan Samiti* of the said college. It is a false and concocted allegation that the petitioner has manipulated the settlement paper of the land in question with a view to gain wrongfully. The college is run on the land gifted by the ancestors of the petitioner and from time of grandfather of the petitioner, there has been some involvement of the family of the petitioner in the functioning of the college but petitioner is not involved in the functioning of the college any more. The informant and the Sub Divisional Officer illegally settled the 105 *Bighas* land of the college which was opposed by the general public and a report in the newspaper to this effect has been published which caused annoyance to the informant and the concerned Sub Divisional Officer, who lodged this false case against the petitioner. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the background of the case and the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/court concerned in connection with Khagaria (Muffasil) P.S. Case No. 995 of 2023, subject to the condition laid down under Section 438(2) 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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