

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65736 of 2023**

Arising Out of PS. Case No.-736 Year-2022 Thana- RAMPUR District- Gaya

PROF. KHELAFAT HUSSAIN son of Neazmuddin Village- Aliganj Ps-  
Chandauti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brisketu Sharan Pandey  
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      20-03-2024                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 419, 420,  
467, 468, 469 and 471 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that  
from perusal of the office report dated 18.03.2024, it would  
manifest that the same records that ordinary post notice has been  
received by office bearer on his behalf as reported by process  
server. It is next submitted that the notice has been received by  
an office bearer on behalf of the O.P. No. 2.

4. In view of the submissions made by the learned  
counsel appearing on behalf of the petitioner, the notice is  
deemed to have been validly served.



5. Learned counsel for the petitioner next submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the informant despite receiving notice chooses not to contest which further demonstrates the falsity of the allegation. It is further submitted that in sum and substance, the allegation against the petitioner is that he created forged document to declare himself as Chairman of the college and also got the same published in a newspaper and the same was done solely with a view to disturb the atmosphere of the college. The learned counsel next submits that petitioner is the validly elected chairman of the Governing Body of Mirza Galib College, Gaya. It is next submitted that this perhaps explains why the O.P. No. 2 despite receiving notice chooses not to appear.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rampur P.S. Case No. 736 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

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