

Arising Out of PS. Case No.-54 Year-2024 Thana- BETTIAH CITY District- West
Champan

... .. Petitioner/s

1. The State of Bihar
2. Sudhanshu Yagnik Son of Late Chandrashekhar Yagnik Resident of Mohalla- C. K. 8/162, Garhwasi Tola Chowk, P. S. Thana Chowk, District-Varanasi (Uttar Pradesh). At Present, Rajguru Chowk, Wards No.- 08. P. S.-Kalibag, District- West Champaran.

... .. Opposite Party/s

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni , APP

2 31-01-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends their arrest in a case registered for the offence punishable under sections 420, 467, 468 , 471 , 120 B and 506 of the Indian Penal Code .

3 . It is alleged that despite prohibitory orders passed by this Hon'ble High Court , all the accused persons named in the F.I.R., purchased the land in question and when informant raised objection , all the accused persons threatened to kill him.

4. It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case . The present



F.I.R., has been lodged after the delay of 4 months for which there is no explanation which itself creates doubt over the entire prosecution case . As a matter of fact, the grandmother of the petitioner was allotted land of Village Basantpur pursuant to compromise in Partition Suit No. 159 of 1949 before the learned Su Judge Motihari and according to the terms of compromise after death of grandmother of the petitioner namely Krishna Kumar Devi wife of Late Pt. A Vindhyasini Prasad, her four grandsons orally divided the land among themselves, which was allotted to their grandmother, and land allotted to the share of the petitioner was in his possession and therefore the petitioner rightly sold and transferred the land of his share to the co-accused persons. Moreover, the dispute is purely civil in nature and has been given a criminal colour to settle the dispute . Similarly situated co-accused persons have already granted bail by this Court vide order dated 24.09.2024 in Cr. Misc. No. 62460 of 2024 .

5 . Learned counsel for the State oppose the bail petition .

6 Considering the aforesaid facts, and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named



above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Bettiah West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 54 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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