

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18046 of 2025

Arising Out of PS. Case No.-329 Year-2024 Thana- SAHAYAK NAGAR District- Katihar

Yogendra Narayan Choudhary @ Bhogendra Narayan Choudhary Son of Late Hem Narayan Choudhary R/o- Village- Bareta Semapur, PS- Barari, Distt.- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Farha Akbari D/O- Md. Shamiullah Resident of Mohalla- Masjid Road Michaibadi, P.S.- Sahayak, Distt.- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Vinay Ranjan, Adv.
For the State	:	Mr.Prem Kumar Jha, APP
For the OP-2	:	Mr. Kamleshwar Pandey, Adv. with Mayuri

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 05-08-2025 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 406, 467, 468, 120(B)/34 of the Indian Penal Code.

3. The informant namely, Farha Akbari alleged that she purchased a land via sale-deed No. 8427 dated 25.04.2022 for Rs. 13,45,000/- and spent Rs. 2,00,000/- more on soil filing. However, when she went to take possession, she got to know that the land had already been sold earlier first to Sharmila Devi in 2011, who later sold it to Manju Devi. Therefore, this petitioner and co-accused misappropriated Rs. 16,75,000/- from the informant.



4. At the outset, learned counsel for the petitioner submits that the dispute between the parties has been settled amicably through the process of mediation and for this, the petitioner offered to pay **Rs. 7,00,000/-** (Rupees seven lacs) in three installments, as full and final settlement amount and opposite party no. 2 has accepted the offer and gave her consent.

5. Learned counsel for the opposite party no. 2 does not dispute and confirms the fact regarding settlement entered into between the parties.

6. Here, it is relevant to mention that earlier, with consent of the parties, the matter was referred to Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties, which has been resolved in terms of Memorandum of Agreement annexed with Mediator's report.

7. Considering the fact that dispute between the parties has been resolved, the prayer for anticipatory bail of petitioner is allowed.

8. Let the petitioner, as named above, in the event of arrest/surrender within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 329 of 2024 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that *petitioner shall abide by all the terms & conditions, mentioned in Memorandum of Agreement, failing which, learned Court below shall be at liberty to cancel the bail-bond of the petitioner.*

(Prabhat Kumar Singh, J)

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