

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62924 of 2025

Arising Out of PS. Case No.-1263 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Yogendra Chaudhary @ Yogendra Choudhary Son of Late Ramyari
Choudhary R/o- Vill- Pataili,P.O.- Pataili ,P.S- Ujiarpur, Dist -Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abha Devi w/o Anil kumar Choudhary R/o Village- Pataili , Pataili P.S.
-Ujiarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Shekhar, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Section 420 of the I.P.C.

3. The prosecution case is based on a complaint filed
by the complainant, namely, Abha Devi - O.P. No.2 alleging that
this petitioner, the main accused, executed a sale deed bearing
no. 12864 dated 25.07.2022 in favour of accused nos. 2 to 5 in
respect of her land, and accused nos. 6 and 7 stood as witnesses
to the said deed. It is further alleged that on learning of this, the
complainant obtained a certified copy of the sale deed from the
registry office and, when she confronted the accused persons,
they allegedly abused and threatened her that they would kill
her.

4. Learned counsel for the petitioner submits that



petitioner is innocent. He further submits that father of the petitioner, namely, Ramyari Choudhary owned 6 *katha* and 17 *dhur* land, and the complainant's husband had an eye on that land. For this purpose, he filed a partition suit no. 62 of 2019 in the Court of Civil Judge, Junior Division II, Samastipur through his sons, namely, Govind Kumar and Gautam Kumar. In the said suit the land was also added as suit property. A compromise decree was passed on 28.06.2019 and final decree was passed on 30.08.2019. Upon coming to know about this fraud, petitioner lodged complaint case no. 96 of 2024 against O.P. No. 2 (complainant) which is pending for adjudication. The allegation in this F.I.R even if admitted, merely constitutes a civil dispute and does not have any ingredients of criminal offence. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of dispute, clean antecedent and circumstances of this case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below 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 C.J.M., First Class,
Samastipur in connection with Complaint Case bearing CR (P)
1263/2022/TR - 1569/2024, subject to condition as laid down
under Section 482(2) of the Bharatiya Nagarik Suraksha
Sanhita, 2023.

(Prabhat Kumar Singh, J)

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