

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16488 of 2015

Arising Out of PS.Case No. -256 Year- 2014 Thana -AURAI District- MUZAFFARPUR

1. Balmiki Sharma Son of Late Raj Nandan Sharma Resident of Mohalla -
Chandpur Bela, Anil Bhawan Gali, P.S. Jakkanpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Md.Arif(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-09-2015 Supplementary affidavit has been filed on behalf of the
petitioner.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 409/
406/ 420/467/468/471/120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner
is *Kanoongo* in the office of Land Acquisition Officer,
Muzaffarpur and present case was instituted against him under
mistaken belief that he had been responsible for making payments
to the beneficiaries of the land acquisition made at Muzaffarpur.
It is further submitted on behalf of the petitioner that though a
team of officers are involved in the process of land acquisition but

so far as this petitioner is concerned, the enquiry conducted against the people who had engaged themselves in the said operation revealed that this petitioner had not prepared any valuation report in connection with the present case and in fact the payment which were made without any such report. It is submitted that in the report issued by the Deputy Development Commissioner, Muzaffarpur contained in Letter No. 437 (Confidential) dated 22.11.2014, the petitioner has been specifically stated to had no role in preparation of cheque and payment of any compensation.

Taking into consideration the aforementioned facts and circumstances and the role assigned to the *Kanoongo*, let the petitioner Balmiki Sharma, in the event of his arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Aurai P.S. Case No. 256/14 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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