

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8919 of 2017

Arising Out of PS.Case No. -479 Year- 2016 Thana -FORBESGANJ District- ARRARIA

- =====
1. Gajadhar Das @ Gajadhar Lal Das, son of late Laxman Das, resident of Godna Thakurbari, Farbisganj, Ward No.14, P.O. & P.S.- Farbisganj, District- Araria. &
 2. Amit Kumar @ Chhotu Kumar, son of Anil Prasad Lal @ Anit Lal Das, resident of Sultanpur Pokhar, Farbisganj, Ward No.4, P.O. & P.S.- Farbisganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-02-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Farbisganj P.S. Case No.479 of 2016 instituted for the offence under Section(s) 409, 467, 468, 471, 120-B/34 Indian Penal Code.

It is alleged that as per the report of Additional Collector, Araria, petitioner No.1, Gajadhar Das @ Gajadhar Lal Das, being *Halka Karamchari* in collusion with co-accused, Amit Kumar @ Chotu, (petitioner No.2) being middle man has prepared wrong and fabricated rent receipts after tampering and committing manipulation in *Jamabandi* standing in the name of Bibi Salina wife of late Lal Mohammad. It is further alleged that



in *Jamabandi* no.651, some omission and commission has been made and thereafter the matter was enquired by the Additional Collector, Araria, who found that from original *Jamabandi* No.154 standing in the name of Bibi Salina wife of Lal Mohammad, lands as mentioned in the written report, were transferred by SDO, Farbisganj, vide Case No.1705/1998-99 and out of rest 38 points land, 19 points of land was entered in the name of Md. Nizamuddin creating new *Jamabandi* No.651. The complainant Md. Mojahid Khan and Md. Sayeed Khan obtained copy of *Jamabandi* No.651 and then came to know about such manipulation made by the petitioner No.1 in collusion with petitioner No.2.

Enquiry Report of the Additional Collector, Araria, has been annexed with First Information Report, wherein, he has found allegations against the petitioners *prima facie* correct. Enquiry was done on the basis of application filed by Md. Mojahid Khan and Md. Sayeed Khan in *Janta Darbar* before the Collector, Araria.

It has been submitted on behalf of the petitioners that mutation was done on the basis of the order passed by the Circle Officer. The Additional Collector has submitted the report without making proper enquiry.



This Court is hearing anticipatory bail application of the petitioners and not sitting in appeal against the Enquiry Report of the Additional Collector.

From the Enquiry Report of Additional Collector, it appears that there is direct and specific allegation against the petitioners of making manipulation in *Jamabandi* and thereafter issuing wrong and fabricated rent receipts.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioners may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

