

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38618 of 2017

Arising Out of PS.Case No. -250 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Amar Nath Saha, Son of Late Ram Briksha Saha, Resident of Ramnagri,
Sector-III, Road No. 2, Ashiyana Nagar, P.S.-Rajeev Nagar, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Singh, Son of Mukhdev Singh, Resident of Village-Sonbarsa,
P.S.-Nabinagar, District-Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Complaint
Case No. 250 of 2014 instituted for the offence under Sections
420, 120B, 323, 379 and 504 of the Indian Penal Code.

It is alleged in the complaint petition that the
complainant Ramesh Singh and his brother have got certain land
on the basis of deed of gift executed by Ram Dev Singh. The
aforesaid land was later on acquired by Government for
construction of Canal for which the compensation amount was
paid to Anuradha Devi and Prano Devi in conspiracy with this
petitioner.

It has been submitted on behalf of the petitioner that



in the written report itself, it is mentioned, that compensation was paid on 9.4.2011. The petitioner has enclosed Annexure-2 which shows that he took charge as Special Land Acquisition Officer of Sone Canal Yojana, Aurangabad, on 3.1.2012. He was not posted at the relevant time when the compensation amount was paid. Moreover, the counsel for the petitioner has submitted that money was paid to Anuradha Devi and Prano Devi and there is no any allegation of monetary benefit received by the petitioner.

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Complaint Case No. 250 of 2014, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the



petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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