

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42043 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -CHAURADANO District- EAST
CHAMPARAN (MOTIHARI)

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1. Baidnath Das, Son of late Sukhdev Das, Resident of Village-
Chandraman, P.S.-Mahuwa, P.O.-Tikulia, District-Motihari.

2. Arjun Das, Son of late Sukhdev Das, Resident of Village-Chandraman,
P.S.-Mahuawa, P.O.-Tikulia, District-Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Chauradno P.S. Case No. 98 of 2017 registered under
Sections 420, 406, 467, 468, 471, 120B and 386 of the Indian
Penal Code.

The allegation against the petitioners in short is that
they committed breach of trust after receiving Rs.24 lakhs from
the bank as compensation for acquisition of land of Indo Nepal



border relating to khata no.26, khesra no. 166.

It has been contended by the learned counsel for the petitioners that the case is based on a complaint, which was referred to the police for investigation under Section 156(3) of the Code of Criminal Procedure pursuant to which the FIR has been instituted. She has submitted that the petitioners received the amount of compensation as per their share in the land. She has submitted that the complainant has levelled a baseless allegation and had concealed the fact that he and his family members have also received compensation amount in lieu of the acquisition of their land as per their respective share in the said land i.e. khesra no. 166 and the amount of compensation was directly paid to their individual bank account.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation and under the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M. Raxaul at Motihari in connection with Chauradno P.S. Case No. 98 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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