

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55490 of 2018

Arising Out of PS. Case No.-175 Year-2018 Thana- GHOSI District- Jehanabad

Naresh Bind S/o Late Ganaur Bind, R/o Vill.- Chunukpur, P.S.- Ghoshi,
District- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 13-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ghosi P.S. Case no. 175 of 2018, registered under
Sections 406, 409, 420, 467, 468 & 471/34 of the Indian Penal
Code.

Petitioner is said to have received the
compensation fraudulently by obtaining Land Possession
Certificate (L.P.C.) on the basis of two petitions supported with
affidavit cunningly giving different plot numbers and thus the
petitioner has usurped the government coffer.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner
has obtained the L.P.C. on the basis of the document of land



possessed by him and on the basis of said L.P.C. the compensation amount was paid to him. It is further submitted that witness Raj Kumar Sharma, who happens to be a revenue employee, has stated in para-10 of the case diary that the details of the property as mentioned in the affidavits furnished by the petitioner was found correct during the course of enquiry and on finding it true the Circle Officer, Modanganj had issued the L.P.C. and on the basis of the said L.P.C. the payment of compensation was made to the petitioner. Witness Ajay Prasad Gupta, who happens to be Senior Assistant of the Block Office, has stated in para-22 of the case diary that after verification of the land as detailed by the revenue employee he send it to the Circle Inspector and Circle Inspector after verification forward it to Circle Officer, who after making inspection of the land and finding it true, issue the L.P.C. in the name of the owner of the land which indicates that the L.P.C. was given by the Circle Officer after verification of the same by himself and also by the revenue employee and thus the petitioner has not misappropriated the government coffer.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 175 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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