

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41913 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- GHOSI District- Jehanabad

RAJ KUMAR SHARMA Son of Late Charitra sharma Resident of Village-
Pakaria, Police Station- Kadirganj, Post Office- Khalilabad, Sub Division-
Masaurhi, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N. K. Agrawal, Sr. Advocate
Mr. Sanjeet Kumar, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-08-2019 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Ghosi P.S. Case No. 174 of 2018 registered for the offences punishable under Sections 406, 419, 420, 467, 468, 471 and 34 of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that in terms of the prosecution version one Circle Officer has made a complaint that Sri Anil Kumar had submitted an application for issuance of a land possession certificate in his favour. The informant later on came to know that said Anil Kumar has submitted a wrong affidavit with his application for the purpose of grant of compensation of land from Special Land Acquisition



Office, Son Yojna, Aurangabad. A land possession certificate was issued by the Circle Officer on the basis of the report of the Revenue Karmchari, Sri Raj Kumar Sharma (the petitioner) and the incharge Circle Inspector. The informant alleged that the Revenue Karmchari had submitted a report to the Circle officer based on which the land possession certificate was issued, therefore, appropriate action be taken against the guilty persons.

It is the submission of learned Senior Counsel that this petitioner is the Revenue Karmchari, earlier when this Court rejected the prayer for anticipatory bail of Anil Kumar vide Annexure '3' to the application, he moved before the Hon'ble Supreme Court in Special Leave to Appeal (Crl) No. 348 of 2019 and said Anil Kumar has been granted anticipatory bail vide order dated 2nd July, 2019. It is thus, submitted that the beneficiary having been granted privilege of anticipatory bail, the petitioner deserves the same privilege at this stage.

Learned counsel for the State has opposed the prayer of anticipatory bail as according to him, this petitioner being a Revenue Karmchari had played an active role and it is because of his report that the land possession certificate was issued.

Having heard learned Senior Counsel for the petitioner and learned APP for the State, finding that in terms of



procedure it is the prime responsibility of the Revenue Karmchari to verify the facts stated in the affidavit from the land records and submit a correct report to the Circle officer which this petitioner had allegedly not done and in fact had submitted a wrong report paving way for the beneficiary to receive the money, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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