

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65672 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- KOTWALI District- Patna

1. SUBODH KUMAR Son of Abhiram Singh Resident of Village - Godiha, P.S.- Hulasganj, Dist.- Jehanabad. (Bihar)
2. Arvind Kumar Son of Late Chandeshwar Singh Resident of Village - Ekwalganj Nisarpura, P.S.- Rani Talab, Dist.- Patna. (Bihar)
3. Deo Nandan Prasad Son of Laqte Yadunandan Yadav Resident of Village - East Bhikha Chak, P.S.- Gardanibagh, Dist.- Patna. (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Giri

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-01-2020 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Kotwali P.S.Case No.44 of 2019 , registered for offences punishable under Sections 408, 409, 467, 468, 471, 420 and 120(B) of the Indian Penal Code.

Petitioners happens to be Amin, Head Clerk and Clerk of the Land Acquisition Deptt. and allegation against them as per the prosecution case is that though land for which the compensation has been paid was in the name of the informant. These petitioners in collusion with the other accused persons including one Devanti Devi has got compensation made to



Devanti Devi.

Submission of the learned counsel for the petitioners is that as the rent receipt and the other papers is in favour of Devanti Devi and considering the same, measurement was made and award was prepared and in pursuance to that the award was made . Moreover the petitioners have only complied order of the competent authority and they are ready to co-operate in the investigation.

On the other hand the learned counsel for the O.P.No.2 has opposed the prayer for bail on the ground that as there was dispute with respect to title as such the matter was referred to the land Acquisition Judge by the competent authority, vide order dated 12.9.2015, which will appear from Annexure-A . In the counter to the above submission, it is submitted by the learned counsel for the petitioners that after order of the competent authority, the award has been paid, moreover they are ready to co-operate in the investigation.

Heard learned A.P.P. also.

Having heard both sides and considering the submission as made above and as all the petitioners are government servant and there appears no chance of absconding , let the



petitioners, above named, in the event of arrest or surrender before the learned court below within a period of three weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Patna in connection with Kotwali P.S.Case No.44 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that they will appear before the Investigating Officer within 10 days of their release and shall co-operate in the investigation.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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