

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37099 of 2022

Arising Out of PS. Case No.-450 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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Nurul Imam @ Nurul Imam Khan Son Of Late Habibur Rahman Khan R/O
Village- Chorma, Do Ano, P.O. And P.S.- Pakaridayal, District- East
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 467, 468,
469, 408, 409, 465 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that his land was acquired by the Government for which
compensation of Rs. 13,25,019/- was awarded but the accused
persons fraudulently got the awarded money distributed among
themselves in connivance with the District Land Acquisition
Officer who used to indulge in such type of fraud and his
services was also terminated by Government.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it is a case of civil nature to which a criminal colour has been given. It is also submitted that if the informant is aggrieved by the fact that compensation has been taken by this petitioner who is his own brother then he has remedies available in law.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the informant has very specifically in the F.I.R has given description of the property which came in his share after partition, it is also alleged in the F.I.R that the Government out of the said property has acquired certain portion of the land for which the said compensation was awarded. It is next submitted that petitioner in his anticipatory bail application has not even remotely suggested that the land which the informant is claiming to have received as his share after partition is a joint family property still, nor it has been pleaded in the anticipatory bail application that the land which was acquired by the Government in that even the petitioner had a share.

Considering the submissions made by the learned A.P.P for the State, the Court is not inclined to extend the



privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail stands
rejected.

(Satyavrat Verma, J)

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