

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16720 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- BARACHATTI District- Gaya

1. NARAYAN YADAV S/o Sukhdeo Yadav Resident of village Dahiyar, P.S. Barachatti, District Gaya
2. RAMNATH MISTRI S/o Ramdhani Mistri Resident of village Dahiyar, P.S. Barachatti, District Gaya
3. MUKESH KUMAR SINHA S/o Krishnandan Prasad Resident of village Dahiyar, P.S. Barachatti, District Gaya
4. KESHO MAHTO S/o Bandhu Mahto Resident of village Dahiyar, P.S. Barachatti, District Gaya
5. SABIR ALAM S/o Abdul Jabbar Resident of village Dahiyar, P.S. Barachatti, District Gaya
6. AJESH KUMAR S/o Kuldeep Prasad Resident of village Dahiyar, P.S. Barachatti, District Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 420, 467, 468, 471 of the Indian Penal Code.

It is alleged that five co-accused persons were found guilty of transferring the government land illegally and six accused persons including petitioners were indulged in purchasing and having illegal possession over such land. It is



further alleged that the land, which was sold, was given to the sellers by way of land settlement case no. 73/87-88 and such land is not transferable.

It is submitted on behalf of petitioners that petitioners are neither sellers nor purchasers of the land in question, rather a complaint was filed by petitioner no. 1 before the *Anumandal Lok Shikayat Nivaran Padadhikari* (Sub-Divisional Public Grievance Redressal Officer), Sherghati, Gaya stating therein that the land in question has been transferred by the sellers, and thereafter, the Circle Officer, Barachatti, Gaya was directed to lodge F.I.R. against guilty persons and only thereafter, F.I.R. was lodged in which petitioners were also made accused. It is further submitted that from the report of Rajaswa Karamchari (Revenue Clerk), it is manifest that these petitioners are not purchasers, rather they were whistle blowers and are permanent residents of the locality. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Barachatti P.S. Case No. 98 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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