

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54530 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- SHIVSAGAR District- Rohtas

NAGDEO PASWAN Son of Late Shri Bhagwan Ram R/V- Jawahar Tola,
P.O- Nawada, P.S- Nawada, Dist- Bhojpur, the then Revenue Karamchari,
presently posted at Circile Office, Karakat, Dist- Rohtas Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-01-2023 Heard Mr. Vikramdeo Singh, learned counsel for the
petitioner and learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Sheosagar P.S. Case No. 364 of 2021 under sections 419,
420, 34 of the Indian Penal Code.

As per the prosecution story, the Circle Officer,
Sheosagar Circle, Rohtas stated that in L.P.C. No. 229/19-20
with respect to Khata No. 09, Khesra No. 348 & 332, the same
was also issued on the basis of report submitted by this
petitioner and approved by the then Circle Officer (who is also
an accused). On the basis of the report, the beneficiary got
compensation from the Government of India in case of land
acquisition. Accordingly, the FIR.

Learned counsel for the petitioner submits that



there was some error in the number which resulted into aforesaid case. The further submission is that the person concerned had rightly taken compensation as land belongs to him and only the Khesra number was wrongly inscribed as 352 instead of 332 which resulted into this FIR.

The further submission is that if granted relief, he will be abiding by all the terms and conditions. The last submission is that he do not have any criminal antecedent and irrespective of result of the present case, would be contributing Rs. 50,000/- in the Account No. 1413010060836 of Patna High Court Legal Services Committee.

The learned APP on the other hand opposes the prayer.

Taking into account the aforesaid submission of the petitioner that there was some discrepancies in the number of land and the beneficiary was actually the owner of the land and was rightly granted compensation, he do not have criminal antecedent, presently he is in service and will be cooperating with the police in course of investigation and further will be diligently appear in trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail, in the event



of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge-VI-cum-A.C.J.M., Rohtas at Sasaram, in connection with Sheosagar P.S. Case No. 364 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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