

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58038 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- RAUTARA District- Katihar

Abdur Rahman, Son of Haji Abdul Mannan, Resident of Village- Naya Tola
P.S.- Rautara District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Rautara P.S. Case No. 30 of 2022, registered on 26.02.2022 for the offences under Sections 406, 420, 467, 468, 120B of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons in collusion with each other hatched a conspiracy and got compensation amount for the land which belongs to the complainant claiming themselves to be owners whereas they were only tenant of the complainant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No role has been attributed to the petitioner except saying that he also conspired with the other co-accused persons. But nowhere it has been alleged that the petitioner received any money from the government as compensation amount for the land of the complainant. The specific allegation is against co-accused Md. Safique, Saukat Ali and Md. Farid. The police investigated the matter and submitted closure report against the petitioner but the learned Magistrate differed from the report and took cognizance against the petitioner as well. But from the facts of the case there appears no role of the petitioner who has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of material against the petitioner and submission of closure report against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M.- 1st Class Katihar/concerned



court in connection with Rautara P.S. Case No. 30 of 2022,
subject to the condition as laid down under Section 438(2) of
the Code of Criminal Procedure and other following
conditions :

(i) One of the bailors will be a close relative
of the petitioner.

(ii) The petitioner will remain present on
each and every date fixed by the court below,
if so required by the learned trial court.

(Arun Kumar Jha, J)

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