

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69260 of 2023

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

Md. Ataullah @ Ataullah Son Of Sanaullah Village- Hajipur Ps- Muffasil
Dist- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Bhola Prasad, Advocate
For the Opposite Party/s :	Mr.Rajiv Nayan, Addl Public Prosecutor
for the informant	Mr BK Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and the

State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 406, 420, 467/120B
and other allied sections of the Indian Penal Code.

3. As per prosecution case, the petitioner in collusion
with other co-accused persons 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 appearing for the petitioner
submits that the petitioner is not been attributed specific role
and he has not even received a penny in the alleged transaction.
Police after investigation submitted final form against the



petitioner but the Court below differing with the same took cognizance of the offence. Petitioner claims clean antecedent. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 58038/2023.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Katihar in Rautara Police Station Case No. 30 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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