

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59534 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- CIVIL LINE District- Gaya

SANTOSH KUMAR S/O LATE GOPAL SHARAN PRASAD R/O
MOHALLA- TUTWARI, P.S- KOTWALI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-09-2024 Heard learned Senior Counsel for the petitioner as well
as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 409, 420, 467, 468, 471 and 34 of the Indian Penal Code in connection with Civil Lines P.S. Case No.435 of 2023.

3. The learned Senior Counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he received complaint from Kishore Kumar and Sunaina Devi alleging that their land was acquired under Amritsar Kolkatta Industrial Corridor Project, hence for seeking compensation they had given the requisite document to Santosh and Pankaj, employee of Land Acquisition Office, Dobhi, further on inquiry it transpired that the amount of compensation has been credited in a fake account opened in



their name in Madhya Gramin Bank when they had their account in the Bank of Baroda, as such the accused persons misappropriated an amount of Rs.17,20,000/- of Kishore Kumar and Rs.17,00,000/- of Sunaina Devi.

4. The learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that it is not in dispute that petitioner is an employee of the Land Acquisition Office at Dobhi, but then it is submitted that the only allegation against the petitioner is that Kishore Kumar and Sunaina Devi had handed over their documents seeking compensation in lieu of acquisition of their land for the aforesaid project, but they did not get the compensation, rather the money was siphoned off by getting it credited in a different account in a different bank.

5. The learned Senior Counsel submits that during the course of investigation it transpired that an amount of Rs.5,00,000/- was credited in the account of Pankaj, but then nothing was credited in the account of petitioner.

6. The learned APP vehemently opposes the anticipatory bail application of the petitioner and submits that poor persons land were acquired for the aforesaid Amritsar Kolkatta Industrial Corridor Project for which they were entitled



for compensation and being innocent persons believing the petitioner and Pankaj handed over all the relevant documents relating to the land for seeking compensation, but in stead of getting compensation their entire amount was misappropriated by crediting it in a different bank. It is also submitted that account in Madhya Gramin Bank was opened taking advantage of the documents submitted by Kishore and Sunaina. It is also submitted that investigation of the case is in its nascent stages and in the event if privilege of anticipatory bail is granted to the petitioner, he may abscond or try to tamper with the evidence.

7. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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