

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83483 of 2023

Arising Out of PS. Case No.-376 Year-2023 Thana- ARARIA District- Araria

-
1. MD. WAKAR @ WAKAR YUNUS SON OF SHABBIR R/O VILLAGE- PURNDAHA, WARD NO. -04, P.S.- SIMRAHA, DIST.- ARARIA
 2. ASAD @ ASLAM SON OF SARIF UDDIN R/O VILLAGE- CHAKODVA, P.S.- NARPATGANJ, DIST.- ARARIA

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 467, 468, 420/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they have misappropriated the compensation amount of house owners namely, Lakhan Lal Mandal, Rashmani Devi and Sumitra Devi.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioners. He submits



that the occurrence took place on 27.01.2023 and the FIR has been lodged on 20.04.2023 i.e. after a delay of three months and the reason of the said delay is nowhere explained. He further submits that the compensation of land in question belongs to the informant has been paid by the land acquisition officer in his account. He further submits that though there is allegation against the petitioners to misappropriate the compensation amount of house owners namely, Lakhan Lal Mandal, Rashmani Devi and Sumitra Devi by giving their mobile number in the account of house owners but not a single house owners named above have filed a complaint or FIR against the petitioners. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/Successor Court in connection with Araria P.S. Case No.376 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

