

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2164 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- TARAPUR District- Munger

Syed Jaya Uddin @ Syed Md. Jayauddin Son of Late Syed Raziuddin Village-
Harraikh, Police Station -Begusarai, District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Adv. Mr. Raj Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Chandra Shekhar Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2024 Heard Mr. Baxi S.R.P. Sinha, learned senior counsel along with Mr. Raj Kumar Sinha, learned counsel for the petitioner and learned APP for the State. The informant is represented by Mr. Chandra Shekhar Anand, learned counsel.

2. The petitioner apprehends his arrest in connection with Tarapur P.S. Case No. 88 of 2023 registered for the offences punishable under Sections 341, 323, 420, 120B, 504 and 506/34 of the Indian Penal Code.

3. The informant is claiming himself as a whistle-blower filed a written report, alleging therein that the petitioner, who happens to be Head Clerk in Sub Registry Office, Tarapur in collusion with his brokers are indulged in rampant corruption and misappropriation of government revenue by getting the



residential land registered, showing it as agricultural land and in this way, caused loss to the government exchequer due to less stamp fee taken below the M.V.R. Rate. Further allegation has been levelled that the petitioner is also indulged in conspiracy with others to eliminate the informant.

4. Learned senior counsel for the petitioner, submitted that the informant is a stamp vendor, who had a political background, has lodged the FIR by making a conspiracy with the land mafias and tried to pressurizing the employees of the registry office for registration of wrong deeds. He further submitted that with regard to the complaint made by the informant, an inquiry is required to be done, which is in the process and the petitioner shall be abide by the outcome of the disciplinary action, if any, proceeded against him. He next submitted that not only a single sale deed was registered for lesser value to the M.V. R. fixed by Government and whatever rate is fixed between the vendor and the vendee, the Department of Registry is only concern with the stamp valuation of the land in question. None of the sale deed, with lesser stamp fee taken below M.V.R. Rate has been produced by the informant. He also submitted that even as per the FIR, the entire allegation revolves around the brokers, who have



threatened the informant and they have already been allowed the privilege of anticipatory bail by the court below itself.

5. On the other hand, learned counsel for the State and the learned counsel for the informant, opposed the bail application and submitted that even during the course of investigation, the Sub Registrar of Tarapur has stated that having come to know about the rampant corruption, he had sought a transfer of the petitioner to different place. It is further submitted that the allegation levelled against the petitioner has also been *prima facie* found to be true and earlier also a similar complaint has been made against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the allegation levelled in the FIR needs thorough enquiry at the level of the Department, that apart, the entire allegation of threatening is made against the co-accused persons, furthermore, the petitioner is a government servant having fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-III-cum-Sub Judge-IV, Munger in connection with Tarapur P.S. Case No. 88 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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