

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32886 of 2014

Arising Out of PS.Case No. -81 Year- 2014 Thana -HUSAINGANJ District- SIWAN

1. Prithvi Chand Son of Late Ramdeo Prasad resident of village - Koeria Tola, Near Baudhi Mai Temple, Police Station - Raxaul, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate.

For the Opposite Party/s : Mr. M.K.Nirala(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 12-03-2015 Heard both sides.

The petitioner apprehends his arrest in Hussainganj P.S. Case No. 81 of 2014, registered for the offences punishable under Sections 419, 420, 409 and 177 of the Indian Penal Code.

The petitioner was the Block Development Officer of Hussainganj. The D.D.C. Siwan issued a letter for recovery of amount from the beneficiaries who have been illegally given benefits of Indira Awas Yojna, but the petitioner did not take action in pursuance thereto and thereafter, the D.D.C. directed to lodge a case against the petitioner as well for negligence in providing benefit of Indira Awas Yojna to wrong persons and for not taking action against such persons.

Shri Vindhyachal Singh, the learned counsel for the

petitioner submits that the petitioner was the B.D.O. at the relevant time. It is the duty of the Gram Sabha to pick up the names of the beneficiaries of Indira Awas Yojna. Of course, the petitioner is the supervising authority as he has to distribute the benefits among the beneficiaries, but enquiry was held and it was found that the petitioner was of course negligent, but no ulterior motive was attributed to the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 81 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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