

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54569 of 2015

Arising Out of PS.Case No. -181 Year- 2015 Thana -ATRI District- GAYA

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1. Shailendra Kumar, son of Late Jageshwar Singh, resident of Village-Dhansura, P.S.- Nimchak Bathani, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the then Panchayat Secretary is apprehending arrest in a case registered for the offences punishable under Sections of the Indian Penal Code.

The accusation is of disbursing the benefits under Indira Awas scheme to fictitious persons.

It is submitted by the learned counsel for the petitioner that the benefits under Indira Awas scheme was disbursed in 2010-11 when at earlier point of time Atari P.S. Case No.151 of 2015 was registered against Ramesh Kumar and Smt. Sushma, wife of Ramesh Kumar when they returned the benefits received under the Indira Awas scheme. In the earlier case, the petitioner was not made accused. Ramesh Kumar and Jagdamba Manjhi is

one and the same persons and the present case with same accusation for giving benefits under Indira Awas scheme to Jagdamba Manjhi has been lodged. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that for the cause of action of 2010-11 FIR was registered in 2013 and against the actual beneficiary the case was lodged earlier when money was returned, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II, Gaya in connection with Atari P.S. Case No. 181 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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