

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 41883 of 2014

Arising Out of PS.Case No. -136 Year- 2012 Thana -HARLAKHI District- MADHUBANI

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Sanoj Kumar Son of Sri Shiv Prasad, Resident of Village-Sindura, P.S.-
Dawood Nagar, District-Aurangabad. At present Prakhanda Sankhiyik
Padadhikari (Statistical Officer) Block Harlakhi, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

4 30-04-2015

Heard Mr. Ajay Kumar Thakur, learned counsel

for the petitioner and learned A.P.P. for the State.

The petitioner apprehends arrest in Harlakhi
P.S. Case No. 136 of 2012 dated 02.11.2012 instituted under
Sections 406/420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
the allegation against the petitioner who is Statistical Officer in
Harlakhi block is that he in collusion with others had wrongly
taken the money of 'Indira Awas Yojana' of the informant.

Learned counsel for the petitioner submits that
he had no role either in sanction or disbursement of money
under the 'Indira Awas Yojana' and he has also not been
named as the person connected in any way to the same.
However, when the informant had initially made a complaint to
the Block Development Officer, Harlakhi the same was sent to
the petitioner for enquiry pursuant to which he has submitted

a report disclosing that there were two claimants. It is not the case of the prosecution that the petitioner has submitted any report giving clean chit to any person, rather he has submitted a correct report. Learned counsel submits that the petitioner having no criminal antecedent has discharged his duty faithfully and only because he had submitted an enquiry report, he has also been made an accused.

Learned A.P.P. does not deny the fact that the petitioner has not been named being involved in either sanction or disbursement of the amount of 'Indira Awas Yojana'.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in Harlakhi P.S. Case No.136 of 2012, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and

be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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