

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13073 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

=====

1. Bimal Kumar Rai @ Bimal Rai @ Wimal Rai Son of Late Triveni Rai
Resident of Village- Summa , Tole- Navtoliya, P.S.- Singhiya, District-
Samastipur(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Sada Son of Hare Krishan Sada R/o Village- Lilhous Tole-
Salha, P.s. - Sinjhiya, Distt- Samastipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 30-03-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
complaint case in which processes have been directed to
be issued after cognizance being taken for the offences
punishable under Sections 323, 341, 379, 420, 427, 504
of the Indian Penal Code and 3(1) (x) of the
S.C./S.T.(Prevention of Atrocities) Act.

It is alleged that the petitioner demanded Rs.
4,000/- for providing benefit of Indira Awas Scheme to
the complainant. Complainant paid two thousand rupees
to the petitioner but neither the benefits under Indira
Awas Scheme was provided nor money was returned to
the complainant.

It is submitted by the learned counsel for the

petitioner that petitioner has to provide the benefit of Indira Awas Scheme, the present complaint has been filed on the behest of one Binod Kumar Rai, against whom the petitioner made complaint, who is the co-villager of the complainant. From the information received under Right to Information Act, the petitioner came to know that on 09.04.2007 the wife of the complainant has already received the benefit under Indira Awas Scheme, hence, there is no reason for the complainant to get benefit of Indira Awas Scheme again. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Complaint Case No. 138 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

P.K./-

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