

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14677 of 2016

Arising Out of PS.Case No. -140 Year- 2015 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Kamta Kewat son of Jhapshi Kewat resident of village- Rana Bigha, P.S.
Deep Nagar, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 11-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of Deep
Nagar P.S. case No. 140 of 2015, disclosing offences under
Sections 409,419,420/34 of the Indian Penal Code.

The petitioner is the husband of Mukhiya of Gram
Panchayat Raj, Rana Bigha in the district of Nalanda. The wife of
the petitioner and Panchayat Secretary of the said Gram Panchayat
have also been made accused. Complaint case filed by the
informant, who is a private person, is the basis for institution of
the First Information Report. The allegation relates to
embezzlement of amount under the Indira Awas Scheme. It is

alleged that such persons were given money for construction of Indira Awas Yojna who had already availed such benefit, in blatant breach of the scheme.

Learned counsel appearing on behalf of the petitioner has submitted, referring to the report submitted by the Block Development Officer, Biharsharif that the beneficiaries of Indira Awas Yojna who had taken the amount second time have returned the amount. He further submits that the petitioner has been implicated merely because he is husband of the Mukhiya of the Gram Panchayat. Petitioner does not have any role to play in such matter.

Considering the nature of accusation, this application is allowed.

Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released 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, Nalanda at Biharshairf in Deep Nagar P. S. Case No. 140/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall

present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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