

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32130 of 2016**

Arising Out of PS.Case No. -130 Year- 2016 Thana -HARNAUT District- NALANDA  
(BIHARSHARIFF)

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1. Bishram Paswan Son of Jamun Paswan Resident of village - Ramjee Chak, Police Station Bihar, District - Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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with

**Criminal Miscellaneous No.41124 of 2016**

Arising Out of PS.Case No. -130 Year- 2016 Thana -HARNAUT District- NALANDA  
(BIHARSHARIFF)

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1. Anil Choudhary Son of Jawahar Chodhary R/o Village- Barah, PS Harnaut, District Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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with

**Criminal Miscellaneous No.46160 of 2016**

Arising Out of PS.Case No. -130 Year- 2016 Thana -HARNAUT District- NALANDA  
(BIHARSHARIFF)

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1. Sunita Devi Wife of Anil Choudhary resident of village - Barah, Police Station Harnaut, District - Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**  
(In Cr.Misc. No.32130 of 2016)  
For the Petitioner/s : Mr.Abhay Kumar Singh, Sr. Adv.  
With Mr. Anil Kumar Singh  
For the Opposite Party/s : Mr. Sri Yogendra Kumar  
(In Cr.Misc. No.41124 of 2016)  
For the Petitioner/s : Mr. Rana Baljit Singh  
For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh  
(In Cr.Misc. No.46160 of 2016)



For the Petitioner/s : Mr. Anil Kumar Singh  
 For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
 ORAL ORDER

11 22-12-2016 Heard learned counsel for the parties.

All the three cases arise out of same Harnaut P. S. Case No. 130 of 2016, registered for the offences punishable under Sections 419, 420, 406, 405, 467, 468 read with Section 34 of the Indian Penal Code, in which the petitioners have prayed for grant of anticipatory bail.

The petitioner Bishram Paswan of Criminal Misc. No. 32130 of 2016 is Panchayat Secretary of Barah Gram Panchayat in the District of Nalanda, whereas, the petitioner Sunita Devi of Cr. Misc. No. 46160 of 2016 is the Mukhiya of the said Gram Panchayat. The petitioner Anil Choudhary of Cr. Misc. No. 41124 of 2016 is husband of the Mukhiya of the said Gram Panchayat. They are alleged to have plundered the money, which was advanced to them for the purpose of construction of toilets in the said Gram Panchayat. It was alleged that against 372 houses in which toilets were to be constructed in the petitioners after having taken the money, failed to execute the work in at least 117 houses.

The petitioners were granted provisional bail by different orders passed in these cases since they undertook before



this Court that they would be completing the work. It is their stand that by now, the work is complete.

An affidavit has been filed today on behalf of the District Magistrate, Nalanda, sworn by the Executive Engineer, Public Health Division, Bihar Sharif, making following statement in paragraph 5:-

*“5. That in compliance of order dated 02.12.2016 passed by this Hon’ble Court remaining 73 houses were also verified by the aforesaid Joint inquiry-Committee, in which the construction of toilets work was found completed. Thus the claim of the petitioner that they have completed construction of toilets in 117 houses of beneficiaries is true as per the list submitted by them”.*

Considering the above, these applications are allowed.

Provisional bail granted to them by order dated 30.08.2016 shall stand confirmed.

**(Chakradhari Sharan Singh, J)**

ArunKumar/-

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