

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40822 of 2016

Arising Out of PS.Case No. -204 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Nityanand Kumar Son of Ram Avtar Singh Yadav, resident of Mohalla-Subhash Nagar, P.S.- Dehrion-Sone, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey

For the Opposite Party/s : Mr. Sri Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Sasaram (Tillothu) P.S. Case No. 204 of 2016, disclosing offences under Sections 420 and 406 of the Indian Penal Code.

The case of the prosecution narrates a very pathetic story. The basic fact of the case is that under Indira Awas Yojna, a person whose name figured at Sl. No. 585 in the waiting list has been given the benefit of Indira Awas but the informant whose name was there at Sl. No. 577 has been denied the benefit under Indira Awas Yojna. It is alleged that the petitioner, who is the Indira Awas Sahayak, demanded a sum of Rs. 10,000/- from the informant for extending the benefit. The Informant being not in a position to pay the sum

of Rs. 10,000/- allegedly paid to the petitioner a sum of Rs. 2,000/- only. It is alleged that leaving the informant, who was at Sl. No. 577, in lurch, the petitioner managed to extend the benefit to someone who was at serial No. 585 of the waiting list.

If the allegation against the petitioner is correct, what he has done amounts to defeating the very purpose of the scheme which aims at ameliorating the social condition of the poor villagers.

Considering the nature of the offence, I am not inclined to grant the privilege of anticipatory bail to the petitioners.

This application is rejected.

Petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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