

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36905 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -PHULPARAS District- MADHUBANI

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Sukhdeo Paswan, son of Phutal Paswan, Resident of Village- Bal Bhadarpur, P.S.- Lakhanur, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Phulparas P.S. Case No. 59 of 2017 instituted for the offence under Sections-409, 420, 467, 468, 471 of the Indian Penal Code.

It is alleged in the written report that the petitioner being the head clerk at that time of occurrence, removed the name of selected beneficiaries in Panchayat Ramnagar, Block-Phulparas in the year, 2007-08, and in lieu of the same, added the name of other persons for making payment of Indira Awas in that Panchayat and accordingly, did irregularity in making payment of Indira Awas.

It has been submitted on behalf of the petitioner that the petitioner being the head clerk of block office had no concern with the affairs of Indira Awas Yojana. The list of beneficiaries of Indira Awas Yojana is prepared by the Panchayat Sachiv and is



finalized by the BDO.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Phulparas P.S. Case No. 59 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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