

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48053 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -SALKHUA District- SAHARSA

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1. Chandrika Devi, wife of Maheshwar Yadav.
 2. Manki Devi, wife of Guneshwar Yadav.
 3. Sita Devi, wife of Ram Narayan Yadav.
 4. Phulo Devi, wife of Yogendra Yadav.
All resident of village-Brah Pokhariya, O.P. Banma Ithan, P.S. Sakhua,
District-Saharsa.
 5. Bipin Kumar, son of Surendra Prasad Yadav, resident of Kopariya, P.S.
Salkhua, District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Salkhua (Banma Itahri O.P.) P.S. Case No.31 of 2017 registered
under Sections 406, 409 and 420/34 of the Indian Penal Code.

The accusation is that while the money was given to the
petitioner nos.1 to 4 under Indira Awas Yojna to construct the
house but the petitioner nos.2 and 4 did not construct the house
whereas the petitioner nos.1 and 3 made construction of the house
upto plinth.

Learned counsel appearing on behalf of the petitioners



submits that, in fact, the petitioner nos.1 to 4 are the beneficiaries and at the time of the lodging of the present case, due to non-availability of the materials, the construction work could not be done but, later on, the petitioner nos.1 to 4 constructed the house. The Block Development Officer, Banma, Ithari, has also submitted his report regarding the aforesaid fact, which would appear from Annexure-‘2’ to this application. The name of the petitioner no.5 has come in this case as he was Panchayat Awasiya Sewak. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Saharsa, in connection with Salkhua (Banma Itahri O.P.) P.S. Case No.31 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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