

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26443 of 2018**

Arising Out of PS.Case No. -74 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Most. Jamila Khatoon W/o Late Md. Ayub Nadaf @ Md. Ayub, R/o  
Vill.- Kusha Jabe, P.S.- Bhawanipur, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR  
SINGH**

**ORAL ORDER**

2      04-05-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection  
with Bhawanipur P.S. Case No. 74 of 2016 registered for the  
offences punishable under sections 420, 467, 468, 471, 120(B)/34  
of the Indian Penal Code.

It is submitted by the learned counsel for the  
petitioner that the petitioner got the advantage of Indira Awas  
Yojna and built her pucca house and thus there is no proof against  
the petitioner that she misappropriated the Govt. money for other  
purpose. It is submitted that the petitioner is a landless lady, aged  
about 70 years and on the basis of Basgit Purcha issued by Circle  
Officer, Bhawanipur she has constructed the Indira Awas.



On the other hand learned counsel for the State has submitted that petitioner illegally took the advantage of Indira Awas Scheme. The Basgit Purcha of Jamabandi no. 402 and 403 has been cancelled by the Circle Officer, Bhawanipur in January, 2015.

Be that as it may, considering the nature of allegation and submissions made on behalf of the petitioner, in the event of arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1<sup>st</sup> Class, Purnea in connection with Bhawanipur P.S. Case No. 74 of 2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

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