

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39314 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -KONCH District- GAYA

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Md. Shamshe Kalim S/o Late Shamim Ansari, R/o Vill.- Badahpur, P.S.-
Muffasil, Distt.- Presently posted as Gramin Awas Sahayak at Konch Block
under , District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. The Vigilance through Superintendent of Police Department of Viglence,
Patna, Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Opposite Party/s : Mr. Santosh Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Special Case No. 362 of 2017, corresponding to Konch P.S.Case
No. 282 of 2017 registered for the offences punishable under
Section 385 of the Indian Penal Code and Section 9 of Prevention
of Corruption Act.

Allegation against the petitioner is that he demanded
Rs.20,000/- from the informant for allotment of money under
Indira Awas Yojna Scheme.

Submission of learned counsel for the petitioner is that he
has filed an application before the BDO stating that informant was
not entitled to the benefit of the said Scheme as he has a big house



and eight bighas of land and in respect of that application has been filed on which report was called from LRDC and from the report of LRDC it appears the informant has house and land and in spite of that petitioner is facing the case.

Heard learned counsel for the Vigilance Department, who has opposed the prayer for anticipatory bail on the ground that in paragraph-48 of the case diary it appears that BDO had audio video talk with the informant and it has come that informant does not have 8 bighas of land, rather he has 8 dhurs of land and a joint house.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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