

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52601 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -FATEHPUR District- GAYA

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1. Kaushar Khan @ Md. Kaushar Khan, Son of Nezam Khan.
 2. Tajbun Khatoon, Wife of Kaushar Khan, Both of Resident of Village- Barhoria Panchayat Nimi, P.S. Fatehpur, District- Gaya.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar Saxena, Advocate.

For the Opposite Party : Mr. Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 420, 467, 468, 471 and 120(B) of the IPC.

The prosecution story, in brief, is that the complainant in her complaint stated that under the scheme of 'Indra Awas Yojna' certain illegalities and irregularities were committed by the accused Chandrama Ram, the then B.D.O., Suman Kumar, the then B.P.L. Supervisor, Kaushar Khan (petitioner no. 1) and Tajbun Khatoon (petitioner no. 2) and Jitendra Kumar Singh, Assistant Gramin Sahayak. It is further



alleged that under the said scheme, benefit was given to others in place of actual persons.

It has been submitted by learned counsel for the petitioners that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to political rivalry with the complainant of the present case. The same is evident from Annexure-5 to the present application which is enquiry report submitted by the Assistant Programme Officer, District Rural Development Authority, Gaya to the Deputy Development Commissioner, Gaya.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Xth, Gaya, in connection with Fatehpur P.S. Case No. 1/18, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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